

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 11834 of 2021

State of Odisha

.....

Petitioner

Mr. B.P. Tripathy, AGA

Vs.

***Dr. Pradosh Kumar
Panda & Ors.***

.....

Opposite parties

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

28.03.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. B.P. Tripathy, learned Additional Government Advocate for the State-petitioner.

3. The State-petitioner has filed this writ petition challenging the order dated 02.08.2019 passed in O.A. Nos.107 of 2014 & 257 of 2014 vide Annexure-4, by which the Odisha Administrative Tribunal, Bhubaneswar has affirmed its earlier order dated 07.10.2015, as the same is in consonance with the resolution dated 07.03.2012 issued by the Government of Odisha in Agriculture Department and directed to be given effect to within a period of one month.

4. Mr. B.P. Tripathy, learned Additional Government Advocate for the State-petitioner contended that against the order dated 07.10.2015 passed by the tribunal in O.A. Nos.107 of 2014 & 257 of 2014, some of the private opposite parties approached this Court by filing W.P.(C) No.22655 of 2015 and this Court vide order dated 19.01.2016 while disposing of the said writ petition directed the

petitioners therein to file appropriate application before the tribunal for recalling or review of the order dated 07.10.2015. Accordingly, R.P. No.04 of 2016 was filed before the tribunal and a Division Bench of the tribunal vide order dated 01.11.2016 rejected the said case. Challenging the said order, some of the private opposite parties again filed W.P.(C) No.14074 of 2016 and this Court vide order dated 12.04.2017 set aside the order of the tribunal and remitted the matter back to the tribunal for rehearing the matter. Accordingly, the tribunal re-heard O.A. No.257 of 2014 and O.A. No.107 of 2014 and vide order dated 02.08.2019 affirmed its earlier order dated 07.10.2015, as the same was in consonance with the resolution dated 07.03.2012 issued by the Government of Odisha in Agriculture Department, and directed to be given effect to within a period of one month.

5. In view of such position, this Court is of the considered view that since the tribunal has passed the order on 02.08.2019 and in the meantime three years have passed and the earlier order dated 07.10.2015 passed in O.A. No.257 of 2014 and O.A. No.107 of 2014 has been affirmed by the said order, this Court is not inclined to entertain this writ petition.

6. Accordingly, the writ petition merits no consideration and the same is hereby dismissed.

Alok/Puspa

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(**DR. B.R. SARANGI**)
JUDGE

.....
(**SAVITRI RATHO**)
JUDGE

