

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**O.J.C. No. 1207 of 1999**

***Sarat Chandra Pattnaik***

.....

***Petitioner***

*Mr. R. Rath, Advocate*

Vs.

***State of Orissa & Others***

.....

***Opposite parties***

*Mr. S.N. Nayak, A.S.C.*

**CORAM:**

**DR. JUSTICE B.R. SARANGI**

**MISS JUSTICE SAVITRI RATHO**

**ORDER**

**17.03.2022**

**Order No.**

7.

This matter is taken up through hybrid mode.

2. Heard Mr. R. Rath, learned counsel for the petitioner and Mr. S.N. Nayak, learned Addl. Standing Counsel for the State.

3. The petitioner has filed this writ petition challenging the order dated 17.11.1998 under Annexure-7 passed by the Odisha Administrative Tribunal, Bhubaneswar in O.A. No.257 of 1995 dismissing his claim for grant of promotion.

4. Mr. R. Rath, learned counsel for the petitioner contended that the petitioner having not come within the zone of consideration, he has been deprived of getting promotion. Now, the petitioner has already retired from service and has become quite old. Many of the persons, who have been made parties, have also expired in the meantime. It is further contended that since ineligible persons have got the benefit of promotion, the petitioner should be extended the same benefit.

5. Mr. S.N. Nayak, learned Additional Standing Counsel contended that the petitioner claims for consideration of promotion to the zone of consideration after a long lapse of so many years. Therefore, by efflux of time, the writ petition has become infructuous.

6. Having heard learned counsel for the parties and after going through the records, this Court is not inclined to entertain this case at the belated stage, as the petitioner has retired from service and, as such, he had not come within the zone of consideration for promotion.

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

*Alok /Sukanta*

