

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.5141 of 2022

Madhusudan Mallick

.... Petitioner

Mr. Prahallad Chandra Das, Advocate

-versus-

***Bibhuti Mohan Mishra,
Administrative Officer,
Office of Advocate General,
Orissa High Court, Cuttack
and Another***

***.... Contemnors/
Opp. parties***

Mr. M. K. Khuntia, AGA

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. SAHOO**

**ORDER (Oral)
30.11.2022**

(Hybrid Mode)

Order No.

- 02.** 1. We find from the order dated 24th August, 2021 passed by this Court in W.P.(C) No.6181 of 2012 as also the pleadings of the said Writ Petition, no person junior to the petitioner having been promoted from the rank of Senior Assistant to the rank of Section Officer, level-II, no right had vested in the petitioner to seek promotion with retrospective effect i.e. 1993, moreso when the grievance by filing an application before the learned Orissa Administrative Tribunal, Cuttack was raised after a delay of almost 10 years i.e. in the year 2003, not only suffering from the vice of delay and laches but the claim also be barred by law of limitation.

2. The Division Bench of this Court in its order dated 24th August, 2021 disposing of the Writ Petition has left the question of law raised by the contemnors/opposite parties open for consideration in some other appropriate case.

3. In view of the aforesaid background, we are not convinced that any action in our contempt jurisdiction is required to be initiated and accordingly, the same is disposed of.



Sipun

30th November, 2022
Cuttack