

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 20215 of 2019

State of Odisha & Ors.

.....

Petitioners

*Mr. S.Jena, Standing Counsel
S & ME Deptt.*

Vs.

***Purna Chandra Pattanaik &
Ors.***

.....

Opposite Parties

Mr. M.Pati, Advocate

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE SANJAY KUMAR MISHRA

ORDER

01.08.2022

Order No.
03.

This matter is taken up through hybrid mode.

2. Heard Mr. S. Jena, learned Standing Counsel for School & Mass Education Department appearing on behalf of State-Petitioners and Mr. M. Pati, learned Counsel for Opposite Party No.1.

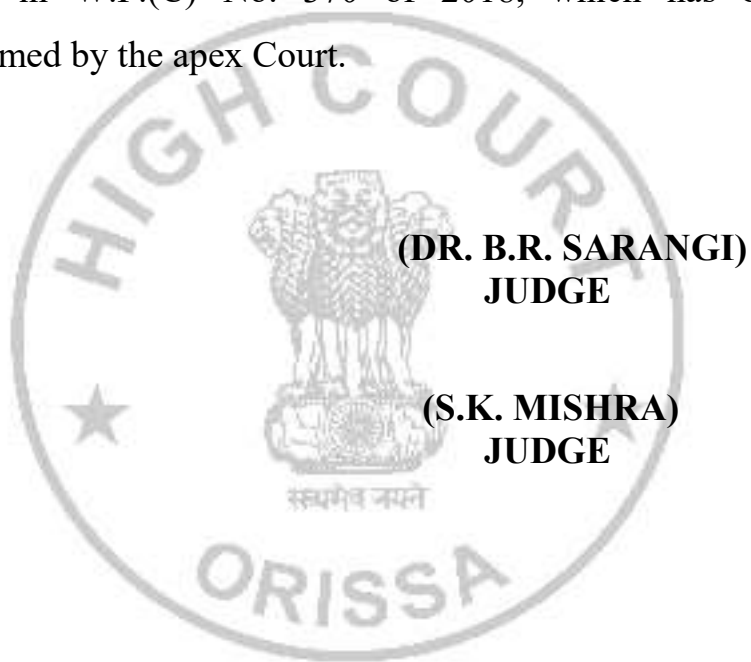
3. The State-Petitioners have filed this Writ Petition seeking to quash the order dated 10.03.2015 passed by the Odisha Administrative Tribunal, Principal Bench, Bhubaneswar in O.A. No. 735 of 2015.

4. Mr. Jena, learned Standing Counsel contended that the basis on which this Original Application is disposed of, i.e. Order dated 13.05.2015 passed in O.A. No. 1237 of 2014, was the subject matter of dispute before this Court in W.P.(C) No. 370 of 2018. This Court vide order dated 05.04.2018 observed that the applicant before the Tribunal being a fence sitter the Tribunal has not

considered the delay in approaching the Tribunal by the said applicant, which is an error apparent on the face of the record. Accordingly, this Court set aside the order impugned therein in exercise the jurisdiction under Article 227 of the Constitution of India. Against the said order, the private Opposite Party had approached the apex Court by filing Special Leave to Appeal (C) No. 16394 of 2018, which was dismissed vide order dated 23.07.2018.

5. In view of the above position, the present case stands disposed of in terms of the order dated 05.04.2018 passed by this Court in W.P.(C) No. 370 of 2018, which has been made confirmed by the apex Court.

Arun/Banita



(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE