

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

**WPC (OAC) No. 4096 of 2010**

|                                          |       |                                                               |
|------------------------------------------|-------|---------------------------------------------------------------|
| <b><i>Dambarudhar Mohanty</i></b>        | ..... | <b><i>Petitioner</i></b>                                      |
|                                          |       | <i>Mr. A.K. Behera, Advocate</i>                              |
|                                          | Vs.   |                                                               |
| <b><i>State of Odisha and others</i></b> | ..... | <b><i>Opposite parties</i></b>                                |
|                                          |       | <i>Mr. B. Prusty, Standing Counsel,<br/>S&amp;M.E. Deptt.</i> |

**CORAM:**

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

**ORDER**

**08.02.2022**

**Order No.**

1

This matter is taken up through hybrid mode.

2. Heard Mr. A.K. Behera, learned counsel for the petitioner and Mr. B. Prusty, learned Standing Counsel for School & Mass Education Department.
3. The petitioner has filed this writ petition seeking for quashing of the entire process of selection made by D.P.C. on 12.08.2010 by giving promotion to opposite party no.5 to the post of Hindi Teacher vide order dated 20.08.2010.
4. As it appears, the petitioner has not filed the gradation list to the Original Application, but the same has been placed by written notes of submission on record. It is contended that during pendency of the writ petition the petitioner has retired from service.
5. Since the petitioner has already retired from service the question of giving promotion does not arise. Similarly since the petitioner has not hold the promotional post, he is also not entitled to get the financial benefit of such promotional post.

6. In view of the above, this court is not inclined to entertain the prayer made by the petitioner, at this stage.

7. The writ petition is accordingly disposed of.

*Arun*

**(DR. B.R. SARANGI, J.)**

