

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.1406 of 2010

Sri Subash Chandra Behera ***Petitioner***
None

-versus-

Commissioner-cum-Secretary, ***Opposite Parties***
Health & Family Welfare Department,
Bhubaneswar and others

Mr. K.K. Nayak, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
15.02.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. None appears for the Petitioner when the matter is called. Heard learned counsel for the State.
3. From the order sheet dated 19.01.2012, it reveals that notices were issued to the Respondents on the question of limitation. It is also found that there is no order condoning the delay in filing the Original Application. The order sheet also does not reveal that the matter has been admitted by the learned Orissa Administrative Tribunal. However, some of the counsels representing the respondents appeared voluntarily without even issuance of notice to them by the Tribunal.
4. Mr. K.K.Nayak, learned counsel for the State submits that the issue involving the present writ petition relates to appointment of contractual engagement of Pharmacists under the establishment of

CDMO, Koraput, which was published on 27.08.2005. At the relevant point of time, the Petitioner neither had the qualification to apply the said post nor had he submitted any application seeking employment under the said advertisement. Further, all these years no steps have been taken by the Petitioner.

5. In such view of the matter, it appears that petition has become infructuous in the meantime and the Petitioner has lost interest in the litigation therefore the application stands dismissed as infructuous. In the event, cause of action still survives, it is open for the Petitioner to file appropriate application to revive the writ petition.

6. With the above direction, the writ petition stands disposed of.

7. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge