

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.2460 of 2018

Sukadev Samal

.... Petitioner

Mr. Bibhuti Bhusan Behera, Advocate

-versus-

State of Odisha and Others

.... Opp. Parties

Mr. L. Samantaray,
Additional Government Advocate

**CORAM:
JUSTICE M.S. RAMAN**

ORDER (Oral)
17.10.2022

Order No.

- 04.** 1. The Original Application No.2460(C) of 2018 was filed before the State Administrative Tribunal, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC(OAC) No.2460 of 2018.
2. The petitioner, a Junior Clerk in the office of the Tahasildar, Hindol, District-Dhenkanal, challenged the transfer order issued by the Collector, Dhenkanal, vide Letter No.VI(B)-07-2018-2178/Esst. Dated 05.09.2018, on the ground that since he was left less than four months to retire from service, such transfer at the fag end of the service is violative of Clause (ii) of the General Administration Department Circular dated 5.5.1994.
3. Learned Odisha Administrative Tribunal vide order dated 11th September, 2018 as an interim measure, while issuing notice in the Original Application, passed the following order:

“xxx so far as prayer for interim relief is concerned, the impugned order dated 5.9.2018 at Annexure-2, shall not be given effect to, if already not given effect to, till filing of counter.”

4. It is pointed out by Mr. L. Samantaray, learned Additional Government Advocate that since the petitioner has already retired from service on superannuation on 31.12.2018, the cause of action does not survive any more and the matter has been rendered infructuous.

5. Accordingly, in view of the aforesaid submission, the Writ Petition stands disposed of as infructuous.

(M.S. Raman)
Judge

Sipun

17th October, 2022
Cuttack

