

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No. 948 of 2015

Sanatan Rout

....

Petitioner

None

-versus-

State of Odisha and others

....

Opp. Parties

Mr. B. Mohanty, SC, S&ME Department

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

ORDER(Oral)

13.7.2022

Order No.

02

1. This matter is taken up through hybrid mode.

2. None appears for the petitioner when the matter is called.

3. When the matter was last taken up on 19.5.2022, none had appeared for the petitioner. After considering the matter in some detail as well as hearing learned Standing Counsel for the S&ME Department, following order was passed granting liberty to the petitioner :

2. The writ petition has been registered before this Court on 20.08.2021 after the Original Application was transferred upon abolition of the learned Odisha Administrative Tribunal, Bhubaneswar.

3. On perusal of the available order sheets of the learned Tribunal it is indicated that notices were issued on 09.04.2015 and the matter was never taken up/pursued after 6.2.2019.

4. Learned Standing Counsel referring to the averments made in the writ petition as well as counter on behalf of respondent no.2 submits that the notional promotion granted to the petitioner is in view of the order dated 26.6.1993.

5. The petitioner retired from Govt. service on 30.4.2010 and filed O.A. in 2015 much after his retirement with effect from 04.11.1997. It is submitted by learned Standing Counsel that in the facts and circumstances of the case, the writ petition is liable to be dismissed as no promotion can be granted to a retired employee five years after his

retirement and from a date eighteen years prior to his date of retirement.

6. Having heard learned Standing Counsel, to grant another opportunity to the petitioner, list on 13.7.2022.

4. Learned Standing Counsel reiterates the submission on behalf of the O.P.-State as noted in the order dated 19.5.2022.

6. Having heard learned counsel for the parties, the writ petition is dismissed for non-prosecution.

(M.S.Sahoo)
Judge

dutta

