

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No. 2591 of 2015

Prativa Kumari Samal

....

Petitioner

Ms Rashmita Routray with Mr. Niroj Kumar

Mohapatra, Advocate

-versus-

....

Opp. Parties

Mr. H.K.Panigrahi, SC for OPs.1 & 2

For O.P. No.3-None

CORAM:

JUSTICE M.S.SAHOO

ORDER

5.7.2022

Order No.

1.

1. This matter is taken up through hybrid mode.

2. The writ petition has been registered before this Court on 27.08.2021 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 8.10.2015 and the matter was never taken up/pursued thereafter nor there is any further pleadings by any of the parties.

4. The O.A. was filed by the applicant before the learned Tribunal when he was 55 years of age in the year 2015 while working as Reader in Sharira Rachana Vigyan Department, Gopabandhu Ayurvedic Mahavidyalaya, Puri, inter alia, challenging the advertisement for filling up of a post of Professor in Rachana Sarira on contractual basis and also seeking a direction to grant him promotion to the said post of Professor.

5. Learned counsel for the petitioner fairly submits that as the petitioner would have retired on attaining the age of superannuation in the year about 2021, the cause of action

would not survive and the writ petition may be permitted to be withdrawn with liberty to revive/file afresh for any further cause of action.

6. Learned SC also submits that considering the nature of prayer, nothing would survive at present for adjudication.

7. Having learned counsel for the parties, the writ petition is disposed of as not pressed granting liberty to revive the same within sixty days for any surviving cause of action or file it afresh for any fresh cause of action.

(M.S.Sahoo)
Judge

dutta

