

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 3114 of 2015

Manga Tirkey

....

Petitioner

None

-versus-

State of Odisha & Others

....

Opp. Parties

Mr. L. Samantaray, AGA

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

ORDER

22.12.2022

Hybrid Mode

Order No.

02.

1. None appears for the petitioner, when the matter is called. Earlier on 07.07.2022, when the matter was taken up, none had appeared and considering the matter in some detail and submissions of the learned counsel for the State, the following order was passed:-

“1. This matter is taken up through hybrid mode.

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

3. The writ petition has been registered before this Court on 27.8.2021 after the Original Application was transferred upon abolition of the learned Odisha Administrative Tribunal, Bhubaneswar.

4. On perusal of the available order-sheets of the learned Tribunal it is indicated that notices were issued on 03.12.2015. Thereafter it was never taken up/pursued nor there is any further pleadings by any of the parties.

5. While issuing notice on 03.12.2015 the following interim order was passed :

“So far as prayer for interim relief is concerned, no final order in the disciplinary proceeding shall be passed before finalization of the criminal case i.e. completion of trial in the

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criminal/vigilance case.”

6. Learned AGA referring to the averments made in the writ petition, submits that the petitioner was accused of grave offence and submits that nothing would survive after a long lapse of time.

7. It is submitted by learned AGA that he has no instruction, the matter being old one. 8. Having heard learned AGA, the matter is adjourned to 26.7.2022, to grant another opportunity to the petitioner.”

2. Learned Addl. Govt. Advocate reiterates the submissions on behalf of the opposite party-State as noted in the order dated 07.07.2022.

Having heard learned Addl. Govt. Advocate, the writ petition is disposed of granting liberty to the petitioner to revive the same within ninety days for any surviving cause of action.

