

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 4039 of 2014

Sarojini Nayak

....

Petitioner

None

-versus-

State of Odisha & others

....

Opp. Parties

*Mr. R.N. Acharya, Standing Counsel
(School and Mass Education)*

CORAM:

JUSTICE M.S. SAHOO

ORDER

12.10.2022

Order No.

05.

1. This matter is taken up through hybrid mode.
2. When the matter was taken up on 21.06.2022, none had appeared for the petitioner and to grant another opportunity, the matter was adjourned to 30.09.2022. On 30.09.2022, none appeared for the petitioner and the following order was passed:-

“2. None appears for the petitioner when the matter is called. None has also appeared when the matter was last taken up on 21.6.2022.

3. If no one appears on the next date, the Court shall be constrained to pass appropriate order.

4. To grant another opportunity to the petitioner, list on 12.10.2022.”

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

4. Learned Standing Counsel for the School and Mass Education Department refers to the counter affidavit filed before this Court dated 28.07.2021 to submit that the qualifying service of 10 years was not completed by the deceased husband of the petitioner i.e. he joined as a

Primary School Teacher on 7.9.1971 and passed away on 27.06.1977. The petitioner approached the Tribunal after 37 years seeking family pension.

5. Learned Standing Counsel for the School and Mass Education Department refers to para-5, 6 and 7 of the counter affidavit to buttress his submissions that the petition being devoid of merit should be dismissed.

6. Having heard learned Standing Counsel for the School and Mass Education Department, the writ petition is disposed of granting liberty to the petitioner to revive the petition within ninety days for any surviving cause of action.

