

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 3015 of 2015

Padmanav Nayak

....

Petitioner

None

-versus-

State of Odisha & Others

....

Opp. Parties

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

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 Standing Counsel for the School and Mass Education Department, the following order was passed:-

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

2. 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.

3. On perusal of the available order-sheets of the learned Tribunal it is indicated that notices were issued on 20.11.2015. Thereafter it was never taken up/pursued nor there is any further pleadings by any of the parties.

4. The O.A. was filed by the petitioner in the year 2015 then aged about 57 while working as Night Watchman in Puri Zilla School for sanction of annual increments for the year 2012- 2013, 2013-2014, 2014-2015.

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

6. Learned Standing Counsel referring to the averments made in the writ petition, submits that as the petitioner would have retired on attaining age of superannuation in the year about 2018, nothing would survive at present as far as prayer made in the writ petition and after retirement, the petitioner may have another cause of action for revision of his pension for which he has to file another petition.

7. Having heard learned Standing Counsel, the matter is adjourned to 1.8.2022, to grant another opportunity to the petitioner.”

2. Learned Standing Counsel for the School and Mass Education Department reiterates the submissions on behalf of the opposite party-State as noted in the order dated 07.07.2022.

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 same within ninety days for any surviving cause of action.

(M.S. Sahoo)
Judge