

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.2494 of 2015

Sadasiba Patra & others **Petitioners**

*Mr. Durga Prasad Panigrahi along with
Mr. Manas Pati, Advocate*

-versus-

State of Odisha & others **Opp.parties**

*Mr. Biswajit Mohanty, Standing Counsel for the School
and Mass Education Department*

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

ORDER

29.06.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. The writ petition has been registered before this Court on 31.08.2021, after the Original Application was transferred from the learned Odisha Administrative Tribunal, Bhubaneswar upon its abolition.
3. On perusal of the available order-sheets of the learned Tribunal, it is indicated that notices were issued by the learned Tribunal on 30.09.2015. The matter was never taken up/pursued after 31.01.2018 nor there is any further pleadings by any of the parties.
4. The Original Application was filed before the learned Tribunal in the year 2015 by the petitioners, who were working as Block Education Officer, seeking a direction for grant of RACP with effect from 01.01.2013 after they had retired from Government Service.
5. It is submitted by the learned counsel for the petitioner that he has no up-to-date instruction from the petitioner to pursue the matter at present on behalf of the petitioner.
6. Learned Standing Counsel referring to the averments made in the writ petition, submits that nothing would

survive for adjudication considering the nature of grievance raised in the writ petition after seven years.

7. It is further submitted that the petitioners have also received the benefits subsequently under the ORSP Rules. Therefore, there may not be any surviving cause of action post their retirement.

8. Having heard the learned counsel for the parties, the writ petition is disposed of for lack of up-to-date instruction from the petitioners to pursue the matter at present granting liberty to revive the same within sixty days for any surviving cause of action.

(M.S.Sahoo)
Judge

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