

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 1346 of 2016

Mahendra Kumar Behera ***Petitioner***

Mr. D.K.Pattnaik, Advocate

-versus-

State of Odisha and others ***Opposite Parties***

Mrs. S. Patnaik, AGA

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

**ORDER
28.7.2022**

Order No .

- 1**
1. This matter is taken up through hybrid mode.
 2. The writ petition has been registered before this Court on 28.12.2022 after the Original Application was transferred upon abolition of the learned Odisha Administrative Tribunal, Cuttack.
 3. On perusal of the available order sheets of the learned Tribunal it is indicated that notices were issued on 7.4.2016 on the question of admission directing to file counter within four weeks and rejoinder within two weeks thereof.
 4. Thereafter the matter was not taken up/pursued.
 5. Counter on behalf of the O.Ps. filed before the learned Tribunal is available on record. It is submitted by learned counsel for the petitioner that he has no up-to-date instruction to pursue the matter at present on behalf of the petitioner.
 6. The O.A. was filed in the year 2016 by the applicant before the learned Tribunal then working Gang Mulia in the establishment of O.P. No.3-Executive Engineer, Rural Works Division, Baripada, inter alia, challenging his transfer from Rural Works Division, Baripada to Rural Works Division, Angul.

7. It is submitted by learned AGA referring to the counter that in view of the applicant being found surplus at his place of employment, i.e. in Rural Works Division, Baripada, during his employment he was directed to be posted at Rural Works Division, Angul . Therefore, order impugned in the petition as is just and proper.

8. Having heard learned counsel for the parties, the writ petition is disposed of granting liberty to the petitioner to revive the same within sixty days for any surviving cause of action.

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(M.S.Sahoo)
Judge

