

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC (OAC) No.1291 of 2015

Prabhudatta Sahu

....

Petitioner

None

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. Prasanna Kumar Mohanty, Addl. Standing
Counsel

CORAM:
JUSTICE M.S. RAMAN

ORDER

20.06.2022

Order No.

- 01.**
1. This matter is taken up by virtual/physical mode.
 2. The Original Application No.1291 of 2015 was filed before the Orissa Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No.1291 of 2015.
 3. None appears for the Petitioner when the matter is called.
 4. Heard Mr. Prasanna Kumar Mohanty, learned Addl. Standing Counsel.
 5. The Petitioner sought to challenge the charge sheet/memorandum of charges and the proceeding initiated under Rule 15 of Odisha Civil Services (Classification Control and Appeal) Rules, 1962 and also a notice dated 31.3.2015 vide Annexure-9.
 6. Mr. Prasanna Kumar Mohanty, learned Addl. Standing Counsel brought to the notice of the Court that challenge to the

notice contemplating proceeding vide Annexure-9 is premature and the writ petition is liable to be dismissed.

7. Perusal of Annexure-9 reveals that the Deputy Director of Agriculture, Sambalpur by issuing notice dated 31.3.2015 requested the Petitioner to file reply to the show cause. It is trite law that the writ petition against the notice without submitting reply that too is not maintainable.

8. Since the writ petition is of the year 2015 and none appears for the Petitioner when the matter is called, it is construed that the Petitioner is no more interested for pursuing the matter.

9. In view of the submission made by learned Addl. Standing Counsel and the petition being made at the stage of notice, the matter has been rendered infructuous and accordingly, the writ petition is dismissed as infructuous.

(M.S. Raman)
Judge

Aks