

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No. 2101 of 2014

Prabodh Kumar Swain

....

Petitioner

Mr. C.S. Panda, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

Mr. T.K. Praharaj, SC for opposite parties

CORAM:

JUSTICE M.S. SAHOO

ORDER

21.04.2022

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. The writ petition has been registered before this Court on 16th August, 2021, after the original application was transferred from the learned State Administrative Tribunal, Bhubaneswar upon its abolition.
 3. On perusal of the available order sheets of the learned Tribunal, it is indicated that by order dated 22.09.2014, learned Tribunal was pleased to issue notice and in the interim had directed "*status quo of the applicant be maintained till 15.10.2014*". Thereafter, by order dated 14.10.2014, learned Tribunal noted the submissions of the learned counsel for the petitioner/applicant unless the interim order is extended, the applicant/petitioner will be removed from the present engagement.
 4. Learned Tribunal observed that the appointment of the applicant was till 15.10.2014 as per the order dated 18.09.2014 of the Superintendent of Special Jail, Bhubaneswar and interim order extending the tenure

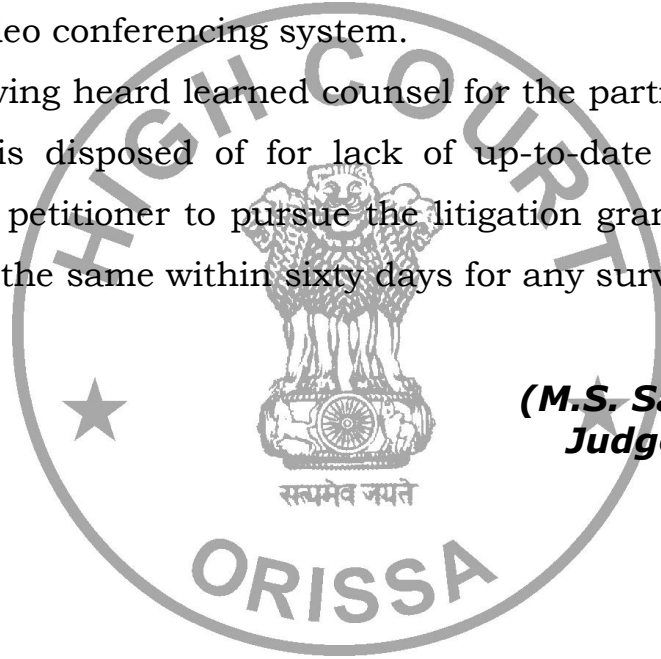
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cannot be passed. It was further observed that there is no bar for the authority to re-engage the applicant/petitioner.

5. Learned counsel for the petitioner submits that he has no up-to-date instruction to pursue the matter on behalf of the petitioner at present.

6. Learned Standing Counsel referring to the counter filed on behalf of the State before the learned OAT submits that after the initial period of engagement which was up to 15.10.2014 and thereafter the applicant/petitioner was not engaged in view of the Government, Home Department instruction to train the existing employees for functioning of the video conferencing system.

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



(M.S. Sahoo)
Judge