

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.1236 of 2015

Biswanath Mohanty

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
27.06.2022

Order No

02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. Mishra, learned counsel for the Petitioner.

3. The present writ Petition was filed with the following relief:-

“In view of the facts mentioned in Para 6 above the applicant prays for the following relief:

a) Admit the original application.

b) Call for the records.

c) After hearing of the parties quash the impugned order vide order No.3747 dated 19.03.2015 which was communicated to the applicant vide Memo No.3792 dated 20.03.2015 under Annexure-9 series.

d) And/or pass such other order(s) or direction(s) as this Hon'ble Tribunal may deem just and proper.”

4. This Court while issuing notice of the matter passed an interim order to the effect that the proceeding may continue, but no final order should be passed without leave of this Court.

5. It is submitted that during subsistence of the said interim order the Petitioner has died in the meantime. Since the Petitioner has died during the pendency of the matter, the prayer as made in the writ Petition has become infructuous.

6. However, while disposing the same as infructuous, liberty is granted to the legal heirs of the Petitioner to make any fresh application, if any cause of action still subsists.

Sneha



(Biraja Prasanna Satapathy)
Judge