

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No. 2868 of 2014

Tejraj Barik

....

Petitioner

Mr. T.K. Biswal, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

Mr. D. Mund, AGA

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

**ORDER
23.06.2022**

Order No.

02.

1. This matter is taken up through hybrid mode.
2. When the matter was last taken up on 19.04.2022, after considering the matter in some detail and the submissions of the learned counsel for the State, the following order was passed:-

"2. None appears for the petitioner, when the matter is called.

3. The writ petition has been registered before this Court on 17th August, 2021, after the original application was transferred from the learned State Administrative Tribunal, Odisha, Bhubaneswar upon its abolition.

4. On perusal of the available order sheets of the learned Tribunal, it is indicated that the notices were issued on 11.12.2014 and the matter was not taken up after 24.01.2017. By the interim order dated 24.01.2017 in M.P. No.13 of 2017, learned Tribunal had refused to stay the advertisement as at Annexure-4 of the year 2017.

5. The O.A. was filed by the applicant/petitioner who was aged about 38 years in the year 2014 working in the Community Health Centre, Saintala in the district of Bolangir under the establishment of opposite party no.4-Medical Officer, C.H.C., Saintala, Bolangir and opposite party no.3-Chief District Medical Officer, Bolangir in the

Class-IV (Group-D establishment).

6. The petitioner has sought for consideration of his representation for regular absorption /appointment in the Class-IV (Group-D establishment) by converting the post held by the contractual employee.

7. Learned Standing Counsel referring to the counter affidavit submits that the applicant/petitioner was engaged by Rogi Kalyan Samiti under the National Health Mission, which is not under the establishment of the State, the Samiti being a non-government body for implementation of the National Health Mission.

8. It is further submitted that in view of the long lapse of time, nothing would survive for adjudication and by subsequent advertisement, the posts in the regular establishment would have been filled-up.

9. Having heard learned Standing Counsel and to grant another opportunity to the petitioner, list on 23rd June, 2022.

3. Learned AGA reiterates the submissions on behalf of the State as noted in the order dated 19.04.2022.

4. Learned counsel for the petitioner submits that he has no up-to-date instruction from the petitioner to pursue the matter at present.

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

(M.S. Sahoo)
Judge