

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.3468 of 2015

Kishore Chandra Naik **Petitioner**
None
-versus-
State of Orissa & others **Opp.parties**
Mr. N.K. Praharaj, AGA for O.P.Nos.1 to 3
For O.P.No.4- None

CORAM:
JUSTICE M.S.SAHOO

ORDER
23.12.2022

Order No.

Hybrid Mode

2. 1. None appears for the petitioner when the matter is called.
2. When the matter was last taken up on 12.07.2022, none had appeared for the petitioner and to grant another opportunity, the matter was adjourned after considering the same in some detail and the submissions of the learned counsel for the State :

"2. The writ petition has been registered before this Court on 21.12.2021, after the Original Application was transferred from the learned Odisha Administrative Tribunal, Cuttack Bench, Cuttack upon its abolition.

3. On perusal of the available order-sheets of the learned Tribunal, it is indicated that notices were issued by the learned Tribunal on 19.02.2016, the matter was never taken up/pursued thereafter nor there is any further pleadings by any of the parties.

4. The Original Application was filed by the applicant then working as Revenue Inspector, Michhapali Revenue Circle under the Office of Tahasildar, Komna At/P.O.Komna, Dist-Nuapada with a prayer to change the Inquiring Officer in the inquiry faced by the applicant as per the memorandum of charges No.467/Estt. Dated 02.03.2013 and Addl. Charges vide Memorandum No.2529 dated 21.09.2013.

5. It is submitted by the learned Additional Standing Counsel referring to the averments made in the writ

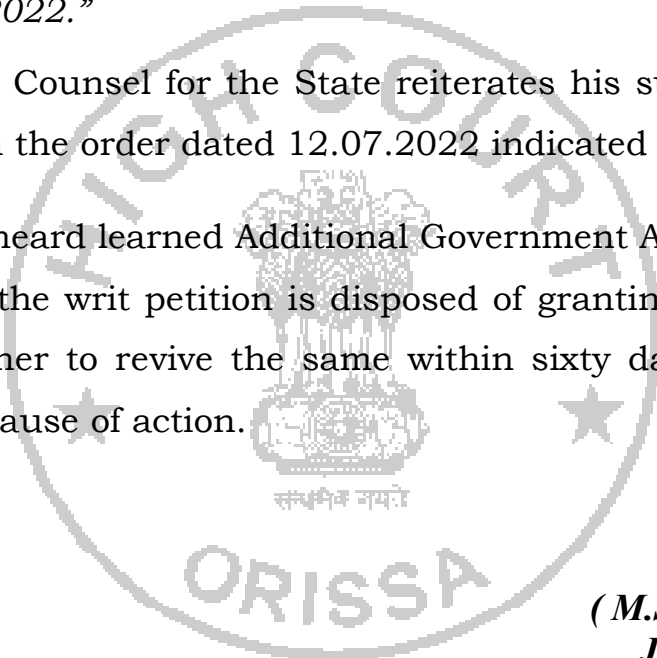
petition submits that the applicant was facing grave charges of committing forgery and cheating as per the F.I.R. dated 29.03.2013 by one resident of village-Putupada under Boden Police Station, pursuant to which, he was arrested on 27.09.2013 and was released on bail by the learned J.M.F.C., Khariar.

6. It is submitted by the learned Additional Standing Counsel that nothing would survive at present, considering the nature of grievance, i.e., challenge to the appointment of Inquiring Officer in a Departmental proceeding initiated in the year 2013.

7. Having heard learned Additional Standing Counsel, to grant another opportunity to the petitioner, list on 02.08.2022.”

3. Learned Counsel for the State reiterates his submissions as noted in the order dated 12.07.2022 indicated above.

4. Having heard learned Additional Government Advocate for the State, the writ petition is disposed of granting liberty to the petitioner to revive the same within sixty days for any surviving cause of action.



(M.S.Sahoo)
Judge