

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.2928 of 2015

Bhagyadhar Paital

....

Petitioner

Mr. R.C. Swain, Advocate

-versus-

State of Odisha & others

....

Opp.parties

*Mr. R. Acharya, Standing Counsel for the School
and Mass Education Department*

CORAM:

JUSTICE M.S.SAHOO

ORDER

06.07.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The writ petition has been registered before this Court on 21.12.2021, after the Original Application was transferred from the learned State 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 25.08.2015 and the matter was never take up/pursued thereafter nor there is any further pleadings by any of the parties.
4. The Original Application was filed before the learned Tribunal in the year 2015 by the petitioner, who was then fifty eight years of age challenging his order of transfer and posting.
5. Learned counsel for the petitioner submits that he has no up-to-date instruction to pursue the matter at present on behalf of the petitioner.
6. It is submitted by the learned Standing Counsel that considering the nature of grievance that is challenge to the order of transfer and posting, nothing would survive as the

petitioner would have retired in the meantime in the year about 2017 on attaining age of superannuation.

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

(M.S.Sahoo)
Judge

Gs

