

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.3171 of 2015

Hari Pada Kar

....
None

Petitioner

-versus-

State of Orissa & others

....

Opp.parties

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

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

**ORDER
22.12.2022**

Order No.

Hybrid Mode

2. 1. None appears for the petitioner when the matter is called.
2. None heard appeared on 11.07.2022 when the matter was last taken up and after considering the matter in some detail and submissions of the learned Standing Counsel, the following order was passed :
 - “2. The writ petition has been registered before this Court on 22.12.2021, 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 09.10.2015, the matter was never taken up/pursued thereafter.
 4. The Original Application was filed in the year 2015 by the petitioner, challenging the Government Resolution dated 27.10.2014 fixing upper age limit and minimum percentage of marks in Bachelor Degree for engagement of contract teacher.
 5. None appears for the petitioner when the matter is called.
 6. It is submitted by the learned Standing Counsel for the School and Mass Education Department referring to the averments made in the petition that the petitioner was aggrieved by the fixing of upper age limit of 32

years with a five years relaxation for SEBC candidates, i.e., 37 years in 2014 and after eight years, the petitioner would be still aggrieved and as contended the upper age limit has to be revised eight years, i.e., 40 years for U.R. candidates and 45 years for SEBC candidates.

7. Learned Standing Counsel submits that considering the nature of grievance, nothing would survive and in any event the petitioner has not pointed out any arbitrariness in the policy of Government for recruitment of contract teachers. Therefore, the writ petition is liable to be dismissed being devoid of any merit.

8. Having learned Standing Counsel for the School and Mass Education Department to grant another opportunity to the petitioner, list on 19.07.2022.”

3. Learned Standing Counsel reiterates his submissions on behalf of the opposite parties as noted above in the order dated 11.07.2022.

4. Having heard the learned Standing Counsel, the writ petition is disposed of granting liberty to the petitioner to revive the same within ninety days for any surviving cause of action.

(M.S.Sahoo)
Judge