

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WPC (OA) No. 1307 of 2016**

***Pabitra Bhoi***

....

***Petitioner***

Ms. Nandita Patra on behalf of Mr.  
P.K. Mohapatra, Advocate

*-versus-*

***State of Odisha & others***

....

***Opp. Parties***

Mr. J.P. Patnaik, Govt. Advocate for  
O.Ps. 1 & 2

None for O.P. No.3

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

**ORDER  
28.07.2022**

**Order No.**

01.

1. This matter is taken up through hybrid mode.
2. The writ petition has been registered before this Court on 5<sup>th</sup> January, 2022 after the Original Application was transferred from the learned Odisha Administrative Tribunal, Principal Bench, Bhubaneswar upon its abolition.
4. On perusal of the available order sheets of the learned Tribunal, it is indicated that notices were issued on 05.07.2016 on the question of admission directing the opposite parties to file counter within four weeks and rejoinder thereto was to be filed within two weeks thereafter. The matter was never taken up/pursued thereafter, nor there is any further pleadings by any of the parties.
5. The O.A. was filed in the year 2016 by the applicant before the learned Tribunal having retired as Laboratory Attendant, District Headquarters Hospital, Sundargarh, seeking a direction to get revision of pay as per the ORSP Rules, 1981, ORSP Rules, 1989 as well as ORSP Rules, 2008, with a further prayer to pre-fix his last pay drawn and consequently the

pension that was to be received by the petitioner.

6. It is submitted by the learned counsel for the petitioner that unfortunately the petitioner has passed away and she has no up-to-date instruction to pursue the matter at present.

7. In view of the submissions of the learned counsel for the petitioner, the writ petition is disposed of granting liberty to the legal heirs of the petitioner to revive the petition within ninety days for any surviving cause of action.

**(M.S. Sahoo)**  
**Judge**

