

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3223 of 2014

Dillip Kumar Lenka

....

Petitioner

Mr. A. Swain, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

Mr. D. Mohapatra, SC (S & ME Deptt.)

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

**ORDER
22.06.2022**

Order No.

- 02.
1. This matter is taken up through hybrid mode.
 2. On 27.04.2022 after considering the matter in some detail, the following order was passed:-

"2. The writ petition has been registered before this Court on 11th December, 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 the notices were issued on 12.11.2014 and the matter was never taken up/pursued thereafter.

4. The applicant before the learned Tribunal while working as Assistant Teacher, Talasahi U.G.M.E. School, Mathili in the district of Malkangiri, filed the O.A. challenging his order of suspension dated 12.09.2014 (Annexure-7).

5. Learned Standing Counsel referring to the said order dated 12.09.2014 as well as counter affidavit filed on behalf of opposite party no.5-Block Education Officer, Mathili submits that the suspension order was passed in contemplation of a departmental proceeding which is in accordance with the Orissa Civil Services (Classification, Control & Appeal) Rules, 1962 and the order cannot be faulted with. It is further submitted that the suspension was to get effected with immediate effect and

as per the job chart issued by the Government, Department of School and Mass Education dated 23.10.2013 (Annexure-F/5 to the counter), the Block Education Officer, Mathili is authorized to take disciplinary action against employees such as petitioner.

6. To grant another opportunity to the petitioner, list on 22nd June, 2022.

3. 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.

4. Learned Standing Counsel reiterates the submissions on behalf of the opposite parties-State as indicated in the order dated 27.04.2022.

5. Having heard learned counsel for the parties, the writ petition is disposed of for lack of up-to-date instruction from the petitioner to pursue the matter at present granting liberty to revive the same for any surviving/subsisting cause of action.

