

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No. 277 of 2012

Pradeep Kumar Nayak ***Petitioner***

None

-versus-

State of Odisha & another ***Opp. Parties***

*Mr. S. Jena, Standing Counsel
(School & Mass Education)*

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

Order No.

**ORDER
22.02.2022**

01.

This matter is taken up through hybrid mode.

None appears for the petitioner.

The writ petition has been registered before this Court on 6th August, 2021 after the original application having been transferred from the learned Odisha Administrative Tribunal, Principal Bench, Bhubaneswar upon its abolition.

On perusal of the available order sheets of the learned Tribunal, it is indicated that the matter was never taken up after 19.11.2012.

The original application was filed before the learned Tribunal in the year 2012 seeking a direction to quash the imposition of penal rent and direction for recovery of an amount of Rs.70,199/- as the petitioner had occupied the quarters allotted to his father and he continued to occupy the said quarters after demise of his father while in employment.

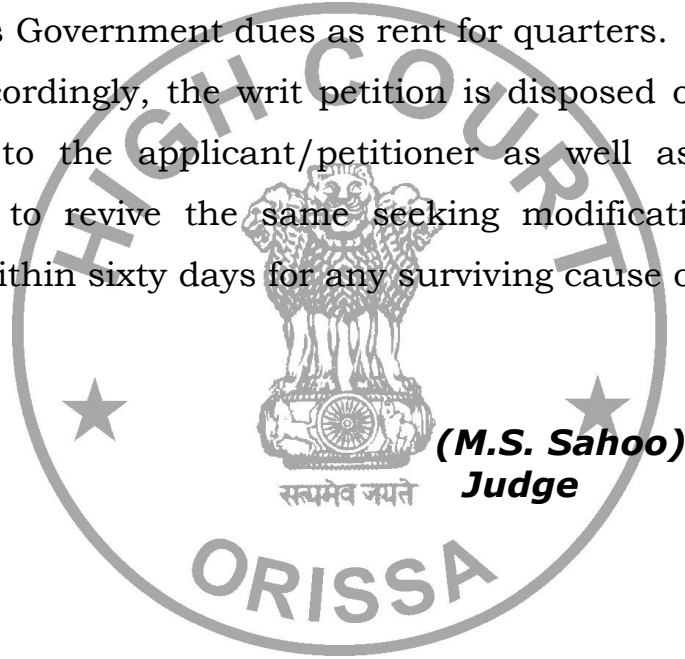
From perusal of the order sheets of the learned

Tribunal, it is indicated that on 18.04.2012, an interim order was passed allowing recovery of Rs. 30,670/- towards rent of quarters and the rest of the balance amount i.e. Rs.40,000/- was kept in abeyance.

It is further indicated that after 19.11.2012, the matter was never pursued by either of the parties to the litigation.

In view of long lapse of time, in considered view of this Court that it would be just and proper to close the matter regarding recovery towards the petitioner as the amount of Rs.30,670/- has already been recovered towards Government dues as rent for quarters.

Accordingly, the writ petition is disposed of granting liberty to the applicant/petitioner as well as opposite parties to revive the same seeking modification of the same within sixty days for any surviving cause of action.



RJ