

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.737 of 2013

Nirakar Pradhan

....

Petitioner

Mr. S. S. Pratap, Advocate

-versus-

State of Odisha & others

....

Opp.Parties

*Mr. S. Jena, Standing Counsel for the School and
Mass Education Department.*

CORAM:

JUSTICE M.S.SAHOO

ORDER

25.02.2022

Order No.

- 1.** This matter is taken up through hybrid mode.

The writ petition has been renumbered and registered before this Court on 10.08.2021 after being transferred, upon abolition of Odisha Administrative Tribunal, Bhubaneswar.

On perusal of the available order-sheet of the learned Tribunal, it is found that the matter was never taken up after 25.03.2013.

It is submitted by the learned counsel for the petitioner that the petitioner has sought relief for getting promotion to the Level-IV Headmaster while he was working as Assistant Teacher in Dr. Ambedkar Project Primary School in the district of Bargarh under the opposite parties. It is further submitted that after the decision of the Division Bench of this Court dated 23.12.2011 in W.P.(C) No.14979 of 2010 and batch of cases, the petitioner has to get the benefits. However, the learned counsel for the petitioner further submits that he does not have up-to-date instruction from the petitioner to pursue the present litigation.

Learned Standing Counsel for the School and Mass Education Department submits that after disposal of W.P.(C) No.14979 of 2010 by order dated 23.12.2011, the matter had attained finality and nothing would survive for adjudication as the petitioner had retired from service on attaining the age of superannuation in the year 2013 itself.

Having heard the learned counsel for the parties, the writ petition is disposed of as not pressed granting liberty to the petitioner to revive the same within 60 days for any surviving cause of action.

(M.S.Sahoo)
Judge



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