

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No. 219 of 2012

B. Subba Rao

....

Petitioner

*Mr. S.K.Subudhi along with
Mr. S.S.K.Subudhi, Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

Mr. T.K.Praharaj, SC

CORAM:

JUSTICE M.S. SAHOO

ORDER

4.4.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. It is submitted by learned counsel for petitioner that he has no up-to-date instruction to pursue the matter on behalf of the petitioner.
3. When the matter is taken up on 21.2.2022, following order was passed after considering the matter in some detail :

“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 was transferred from the learned State Administrative Tribunal, 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 29.10.2014.

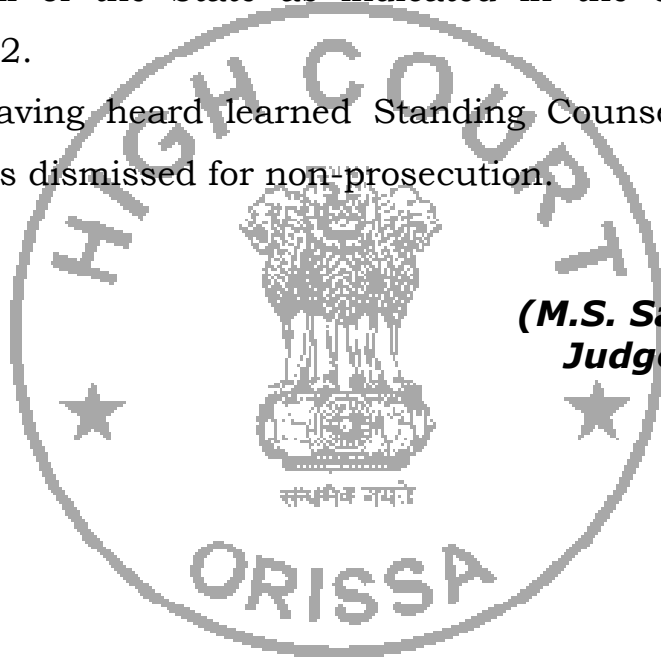
The original application was filed by the applicant/petitioner, who was working as Asst. Engineer in the Department of Water Resources, Govt. of Odisha, aged about 58 years in the year 2012 to get his retiral benefits such as unutilized leave salary, gratuity and regular pension.

It is submitted by the learned Addl. Govt. Advocate that since a Vigilance Case bearing G.R. Case No.18 of 2008 was registered against the applicant under the various Sections of the Prevention of Corruption Act and the Indian Penal Code, that was pending trial before the Special Judge (Vigilance), Berhampur and final pension could not be granted as per the provision of Rule 66 of the Odisha Civil Services (Pension) Rules, 1992 (amended till date).

To grant another opportunity to the petitioner, list on 4th April, 2022.”

4. Learned Standing Counsel reiterates the submissions on behalf of the State as indicated in the order dated 21.2.2022.

5. Having heard learned Standing Counsel, the writ petition is dismissed for non-prosecution.



(M.S. Sahoo)
Judge