

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.585 of 2013

Sri Nandikishore Pradhan **Petitioner**
None

-versus-

State of Odisha & others **Opp.Parties**
Mr. D. Mund, Addl. Govt. Advocate

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 28.03.2017.

None appears for the petitioner when the matter is called.

The original application was filed by the applicant before the learned Tribunal when he was aged about 54 years while working as Agriculture Overseer in the District Agriculture Office, Sohella, in the district of Bargarh seeking a direction from the learned Tribunal for modification of the order dated 03.05.2012 (Annexure-8) issued by Director, Agriculture & Food Production, Ordisha granting promotion to different VAWS/LVAWs to the rank of Agriculture Overseer on ad hoc basis including the petitioner.

It is submitted by the learned Additional Government Advocate that after long lapse of time, the prayer has been rendered infructuous as the promotion granted to as many as 97 persons cannot be challenged after the respective rights have crystallized by passage of time, for the further fact that the petitioner was not protected by any interim order and the petitioner would have retired in the year 2019 on attaining the age of superannuation.

Learned counsel for the petitioner seeks liberty to withdraw the same with liberty to revive within sixty days for any surviving cause of action.

Accordingly, the writ petition is disposed of with the liberty as prayed for.

(M.S.Sahoo)
Judge

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