

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.C. (OAC) No.2592 of 2014

Somanath Mohapatra

....

Petitioner
None

-versus-

State of Odisha & Others

....

Opposite Parties
Mr. M.K. Khuntia, AGA

CORAM:
JUSTICE M.S. RAMAN

ORDER

11.04.2022

Order No.

- 01.
1. This matter is taken up through virtual/physical mode.
 2. The Original Application No. 2592 of 2014 was filed before the State Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No. 2592 of 2014.
 3. None appears for the Petitioner at the time of call.
 4. The Petitioner approached the learned Administrative Tribunal questioning the action of the Opposite Parties in not granting pensionary benefits and other consequential pecuniary reliefs by regularizing the services of the Petitioner who claimed to have worked for more than 10 years as a NMR employee. Vide order dated 22nd August, 2014, while issuing notice on admission, the learned Tribunal observed that pendency of O.A. would not stand as a bar for the Opposite Parties to consider the representation which is at Annexure-3.
 5. Since the matter relates to 2014 and said order has been passed by the learned Administrative Tribunal on 22nd

August, 2014, it is hoped that said representation would have been considered by the Competent Authority by now.

6. Mr. M.K. Khuntia, Additional Government Advocate has submitted that the counter affidavit has been filed by the Opposite Parties, wherein it is stated that the Petitioner was brought to the Work Charged Establishment on 1st January, 2010 with Pay, D.A., H.R.A. etc. as Work Charged employees and got retired as Work charged employees under Work Charged Establishment on 29th February, 2012. The Learned Additional Government Advocate with reference to Para-6 of the counter affidavit submitted that instead of getting daily wages as N.M.R. workers, in the year 2009, the Government of Odisha in Water Resources Department decided as a matter of policy to bring over the existing N.M.R. workers who were engaged before 12th April, 1993 to avail Pay, D.A., H.R.A. etc as Work Charged employees in Work Charged Establishment.

7. Be that as it may, by influx of time the matter has been rendered infructuous. Accordingly, the writ application is dismissed, however liberty is granted to the Petitioner to revive the petition within 90 days from today in case the cause of action still subsists.

(M.S. Raman)
Judge

Laxmikant