

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No. 93 of 2012

Ladu Kishroe Mohapatra

....

Petitioner

None

-versus-

State of Odisha & another

....

Opp. Parties

*Mr. Dhananjay Mund, Addl. Govt.
Advocate*

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

ORDER

23.02.2022

Order No.

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 was transferred from the learned Orissa 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 27.06.2017.

The original application was filed in the year 2012 before the learned Tribunal when the applicant was 62 years, seeking relief in the form of setting aside the order (Annexure-7), directing recovery of Rs. 67,200/-. On perusal of the available records, the said order of recovery has not been annexed before the learned Tribunal though mentioned in the body of the application marked as Annexure-7.

As per the counter filed on behalf of the respondents verified on 25.05.2012, the said order of recovery is annexed and marked as Annexure-H.

The prayer of the interim relief was rejected by the learned Tribunal by order dated 21.03.2012.

The applicant having not challenged the validity of the notification which is in the nature of a executive instruction by the orders of His Excellency Governor of Odisha, challenged only to the recovery would not sustain.

This Court finds the merits in the submissions of the learned counsel for the State and accordingly, the writ petition is dismissed being devoid of any merit.

(M.S. Sahoo)
Judge