

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.C. (OA) No.2802 of 2013

Sri Gangadhar Goud

....

Petitioner
None

-versus-

State of Odisha & Others

.... ***Opposite Parties***
Mr. P.K. Mohanty, ASC

CORAM:
JUSTICE M.S. RAMAN
ORDER
20.10.2022

Order No.

- 01.** **1.** The Original Application No. 2802 of 2013 was filed before the State Administrative Tribunal, Bhubaneswar. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OA) No. 2802 of 2013.
- 2.** The Petitioner prays for a direction to the Opposite Parties to receive his application for engagement as Livestock Inspector in Kalahandi District. The Petitioner also claims to have requisite qualification having undergone Artificial Insemination Training as well as experience for more than 5 years as *Gomitra*.
- 3.** Learned Odisha Administrative Tribunal *vide* order dated 9th October, 2013 passed the following order:-

“Learned counsel for the applicant and learned Standing Counsel are present and heard.

Learned counsel for the applicant submits that though as per Rule-6 of the Orissa Non-gazetted Veterinary Technical Service (Recruitment & Condition of Service) Rule, 1983, which provides minimum qualification of Matriculate for

appointment as Live Stock Inspector, the applicant should be eligible for induction as Live Stock Inspector, but his case has not been considered as higher qualification has been prescribed as per the advertisement at Annexure-2 for recruitment to the post of Live Stock Inspector in Kalahandi District. Thus he alleges that the advertisement at Annexure-2 is not in conformity with the aforesaid Rules.

Heard learned Standing Counsel. He points out that the Rule has apparently been amended in the year 1983.

Heard both sides.

Both the sides are directed to take instruction regarding exact qualification prescribed for appointment to the rank of Live Stock Inspector as per rules pursuant to which Annexure-2 has been issued.

List this case tomorrow, i.e. on 10.10.2013."

4. When the matter was called on 12th February, 2014, none appeared for the Petitioner before the Odisha Administrative Tribunal and finally on 12th February, 2014, the learned Tribunal has passed the following order:-

"Learned counsel for the applicant is absent. Learned Standing Counsel is present and heard.

On the last occasion also learned counsel for the applicant was absent and the applicant also was himself not present when the case was called.

List this case after four weeks. In case none appears for the applicant on the next date of listing, the O.A. is likely to be dismissed for non-prosecution."

5. On 20th February, 2015, though counsel for the Petitioner was present before the said Tribunal, he sought for an adjournment. When the matter is taken up today before this Court, none appeared for the Petitioner.

7. In such view of the matter, while observing that challenging the terms of advertisement prescribing

qualification for the post of Livestock Inspector, intervention of this Court is unwarranted. Since none appeared for the Petitioner, and the matter is of the year 2013, it is construed that the Petitioner does not wish to pursue the matter any further. Hence, the writ petition is dismissed.

(M.S. Raman)
Judge

Laxmikant

