

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WPC(OA) No. 3453 of 2013**

**Alekh Chandra Behura**

....

**Petitioner**

*Mr. P.K. Mishra, Advocate*

*-versus-*

**State of Odisha & others**

....

**Opp. Parties**

*Mr. S. Jena, Standing Counsel (School  
and Mass Education Deptt.)*

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

**ORDER**

**17.03.2022**

**Order No.**

01.

This matter is taken up through hybrid mode.

The writ petition has been registered before this Court on 11<sup>th</sup> 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 10.12.2013.

The applicant/petitioner before the learned Tribunal was 51 years had filed the original application in the year 2013 while working as Asst. Teacher (Trained Graduate Teacher) in Kamalakanta Vidyapitha, Kaliaboda in the district of Cuttack, challenging the order dated 28.11.2013 (Annexure-17) passed by opposite party no.1-Commissioner-cum-Secretary, Govt. of Odisha, Department of School and Mass Education regarding promotion from the rank of Junior Subordinate Education Service (Jr. S.E.S.) to the rank of Senior Subordinate Education Service (Sr. S.E.S.) Headmaster.

Learned counsel for the petitioner submits that the matter has been rendered infructuous by efflux of time.

Learned Standing Counsel submits the order dated 28.11.2013 is in the nature of internal communication and does not impact on the rights of any of the applicants. It is further submitted that nothing would survive after lapse of nine years and for the fact that the matter was never pursued before the learned Tribunal for about four years and the petitioner would have retired attaining the age of superannuation in the year about 2021.

Having heard learned counsel for the parties, the writ petition is dismissed as infructuous.

