

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.3454 of 2013

Pratap Kumar Acharya

....

Petitioner

Mr.L.K. Mohanty, Advocate

-versus-

State of Odisha & others

....

Opp.Parties

*Mr. S. Jena, Standing Counsel for the School and
Mass Education Department*

CORAM:

JUSTICE M.S.SAHOO

ORDER

17.03.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. The writ petition has been renumbered and registered before this Court on 11.08.2021 after being transferred, upon abolition of Odisha Administrative Tribunal, Bhubaneswar.
3. On perusal of the available order-sheet of the learned Tribunal, it is found that the matter was never taken up after 10.12.2018.
4. The petitioner was aged about 51 years when he had filed the original application in the year 2013 before the learned Tribunal while working as Assistant Teacher (Trained Graduate) in Kaitha Champapur Gandhi Sikhyashram, Champapur, Dist-Cuttack, challenging the order dated 28.11.2013 passed by opposite party no.1(Annexure-17) pertaining to grant of promotion to the Senior Subordinate Education Service (SES) cadre Headmasters from Junior SES cadre.

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

Learned Standing Counsel referring to the said order dated 28.11.2013 submits that the order does not impact any of the rights of the teachers and is in the nature of internal communication of the department and original application was filed on the basis of mere apprehension.

It is further submitted that nothing would survive after a lapse of nine years and for the fact that the petitioner would have retired on attaining the age of superannuation in the year 2021.

The writ petition is disposed of as infructuous.

(M.S.Sahoo)
Judge