

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAPC) No. 61 of 2014

Aditya Kumar Sahoo **Petitioner**

None

-versus-

State of Odisha & others **Opp. Parties**

Mr. D. Mund, AGA

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

ORDER

20.06.2022

Order No.

02.

1. This matter is taken up through Hybrid mode.
2. None appears for the petitioner, when the matter is called. When the matter was taken up on 07.04.2022, none had appeared for the petitioner and considering the averments made in the writ petition as well as the submissions of the learned counsel for the State, the following order was passed:-

“The writ petition has been renumbered and registered before this Court on 14.12.2021 after being transferred, upon abolition of Odisha Administrative Tribunal, Cuttack.

On perusal of the available order-sheet of the learned Tribunal, it is found that the matter was filed on 03.02.2014. When the matter was taken up on 07.05.2014, none had appeared before the learned Tribunal and the learned Tribunal adjourned the matter observing that the further none appearance would lead to dismissal of the O.A. for non-prosecution.

O.A. was filed in the year 2014 by the petitioner-applicant who was aged about 50 years employed as a clerk in the department of Water Resources having got promotion to the post of Senior Clerk on 05.05.1988.

The challenge in the writ petition was to the Seniority position granted to the applicant-petitioner at sl. No.282 in the gradation list of the year 1989 and restore his seniority ahead of the persons against whom he has pleaded to be senior.

Learned Standing Counsel referring to the averments in the O.A., submits that the applicant would have retired in the year 2015 and nothing would survive for adjudication in a challenge to the gradation list of 1989 and 1997 after long lapse of time.

Having heard learned Standing Counsel, to grant another opportunity to the petitioner, list on 20.06.2022.”

3. Learned AGA reiterates the submissions on behalf of the State as noted in the order dated 07.04.2022 and contends that nothing survives in the writ petition for adjudication.

4. Having heard learned AGA for the State, the writ petition is disposed of for non-prosecution granting liberty to revive the same within sixty days for any surviving cause of action.

(M.S. Sahoo)
Judge