

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.3475 of 2013

Pradipta Kumar Rout ***Petitioner***

Miss S. Sahoo, Advocate

-versus-

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

Mr. T.K. Praharaj, Standing Counsel

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 12.08.2021 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 21.12.2018.
4. It is submitted by Miss Sahoo that she has instructions to appear in the matter after sad demise of the earlier learned counsel engaged by the applicant before the learned Tribunal.
5. The original application was filed by the petitioner in the year 2013 when he was working as Assistant Commandant in the State Police Headquarters, Cuttack for fixation of his seniority qua, the respondent no.3- Assistant Commandant, 5th IR Battalion, Boudh, Dist-Boudh.

6. It is submitted by the learned counsel for the petitioner that since the matter is pending almost about nine years, she does not have up-to-date instruction to pursue the matter at present. It is further submitted that the writ petition may be allowed to be disposed of with liberty to revive the same for any surviving cause of action.

7. Learned Standing Counsel submits that considering the nature of grievance raised in the original application, i.e., fixation of inter se seniority, nothing would survive for determination after long lapse of nine years, as the petitioner as well as respondent no.3 would have got subsequent promotions.

8. Having heard the learned counsel for the parties, the writ petition is disposed of due to lack of instructions from the petitioner granting liberty to revive the same within sixty days for any surviving cause of action.

(M.S.Sahoo)
Judge