

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAPC) No. 81 of 2014

Manamali Dhangada Majhi

....

Petitioner

None

-versus-

State of Odisha & others

....

Opp. Parties

Mr. D. Mund, AGA

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

**ORDER
22.06.2022**

Order No.

02.

1. This matter is taken up through hybrid mode.
2. None appears for the petitioner when the matter is called. None had appeared for the petitioner when the matter was last taken up on 07.04.2022 and was adjourned to 22.06.2022 for granting another opportunity to the petitioner. On 07.04.2022 after considering the matter in some detail and the submissions of the learned counsel for the State, the following order was passed:-

"2. None appears for the petitioner.

3. The writ petition has been registered before this Court on 14th December, 2021, after the original application was transferred from the learned State Administrative Tribunal, Cuttack Bench, Cuttack upon its abolition.

4. On perusal of the available order sheets of the learned Tribunal, it is indicated that the O.A. was presented on 19.02.2014 and on 14.05.2015, notices were issued by the learned Tribunal subject to limitation as the learned Tribunal had observed that the matter was filed after a delay of 13 years. Thereafter the matter was never taken up/pursued before the Tribunal.

5. The original application was filed in the year 2014 when the petitioner was about 43

years of age stating that his service as a driver in the Office of the Horticulturist, Nabarangpur is to be regularized from 2.12.1992 as he was continuing as such till 20.12.2013 after his initial engagement on ad-hoc basis for 30 days.

6. Learned Standing Counsel referring to the averment made in the O.A. submits that in view of the prima-facie observation of the learned Tribunal regarding delay of 13 years by order dated 14.05.2015, nothing would survive for determination in the present petition.

7. Having heard learned Standing Counsel, to grant another opportunity to the petitioner, list on 22nd June, 2022.

3. Learned AGA reiterates the submissions on behalf of the State as indicated in the order dated 07.04.2022.

4. Having heard learned AGA, the writ petition is dismissed for non-prosecution.

