

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 2863 of 2014

Subrat Kumar Singh & others Petitioners

None

-versus-

State of Odisha & others Opp. Parties

*Mr. Biswajit Mohanty, Standing
Counsel (School and Mass Education
Deptt.)*

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

**ORDER
30.06.2022**

Order No.

02.

1. This matter is taken up through hybrid mode.
2. None appears for the petitioners, when the matter is called.
3. None has appeared for the petitioner, when the matter was taken up earlier on 13.04.2022. On the said date, the matter was considered in some detail and the following order was passed:-

"None appears for the petitioner when the matter is called.

The writ petition has been renumbered and registered before this Court on 15.12.2021 after being transferred, upon abolition of State Administrative Tribunal, Cuttack Bench, Cuttack.

On perusal of the available order-sheets of the learned Tribunal, it is indicated that on 29.09.2014, order was passed referring to O.A. No.2826 (C) of 2014. Therefore, the exact order passed on the said date cannot be adverted to.

After 29.09.2014, the matter was never taken up/pursued before the learned Tribunal, till it is listed today after eight years.

The original application was filed by fifteen applicants working as Assistant Teachers in different Primary Schools in different districts, such as, Bargarh, Sambalpur seeking to challenge

the selection process initiated.

Paragraph-3 of the original application, which provides for particulars of the orders against which the application is made indicates “Nil” as against the order number, date and authority that passed the order.

On perusal of the averments of the original application at paragraph-7, it is indicated that the prayer is made to quash the order dated 19.08.2014 (Annexure-9 series) to the original application/writ petition. The said order dated 19.08.2014 refers to the order passed in O.A. No.2583 (C) of 1999 in which the order dated 10.03.2000 was passed. The Annexure-10 also refers to the said order dated 10.03.2000 passed by the learned State Administrative Tribunal in O.A. No.2583 (C) of 1999.

The learned Standing Counsel referring to the counter filed before the learned Tribunal, particularly paragraph-6, submits that the order as at Annexures-9 & 10 of the O.A. are consequent to the orders passed by the learned Tribunal as well as this Court, and, therefore, the O.A. is without any merit.

It is further submitted that the petitioners, if were aggrieved by the any order by the learned Tribunal or this Court, have to challenge the same by filing appeal.

Having heard, the learned Standing Counsel, the matter is adjourned to 30.06.2022 to grant another opportunity to the petitioners.”

4. Learned Standing Counsel refers to the pleadings made in the writ petition as well as the counter and reiterates his submissions as noted in the order dated 13.04.2022.
5. Having heard learned Standing Counsel, the writ petition is dismissed for non-prosecution.

(M.S. Sahoo)
Judge