

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAB) No. 27 of 2013

Pratap Chandra Das

....

Petitioner

Mr. Biswanath Behera, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.P.K.Panda, SC, S&ME Department

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

**ORDER
18.5.2022**

Order No.

- 4.**
1. This matter is taken up by hybrid mode.
 2. None appears for the petitioner when the matter is called.
 3. None had appeared for the petitioner when the matter was last taken up on 28.3.2022 & 4.5.2022.
 4. On 28.3.2022, after considering the matter in some detail and the submissions of the learned Standing Counsel, following order was passed :

"1. This matter is taken up through hybrid mode.

The writ petition has been registered before this Court on 20th November, 2021, after the original application was transferred from the learned State Administrative Tribunal, Bhubaneswar, Circuit Bench at Berhampur upon its abolition.

2. On perusal of the available order sheets of the learned Tribunal, it is indicated that the matter was never taken up after 07.01.2019.

3. None appears for the petitioner, when the matter is called.

4. The original application was filed in the year 2013 when the applicant/petitioner was aged about 53 years, working as Headmaster-in-Charge, Trained Graduate Teacher (PCM) in Municipal Barracks High School, Gandhi Nagar, Berhampur, inter alia challenging the gradation list of Junior Subordinate Education Service

Teachers of Government High Schools in the year 2012.

5. It is contended on behalf of the petitioner that he has not been included in the gradation list though he is entitled to.

6. It is submitted by the learned Standing Counsel (School and Mass Education Department) that challenge to a gradation list of the year 2012 would not survive after ten years and moreover the petitioner would have retired in the year 2020 on attaining age of superannuation.

7. It is further submitted by the learned Standing Counsel that the petitioner has not indicated his inter se position in the gradation list by which he is aggrieved i.e. the petitioner has not indicated who are the juniors to him who are to be placed below in the gradation list of 2012 and none had been made party in the Original Application.

8. To grant another opportunity to the petitioner, list on 4th May, 2022.”

5. Learned Standing Counsel reiterates the submissions on behalf of State as noted in the order dated 28.3.2022.

6. Having heard learned Standing Counsel, the matter is disposed of for non-prosecution.

(M.S.Sahoo)
Judge

dutta