

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 704 of 2013

Banabihari Behera

....

Petitioner

Mr. G.R. Sethi, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

*Mr. Prabhat Ku. Panda, Standing
Counsel(School & Mass Education
Deptt.)*

CORAM:

JUSTICE M.S. SAHOO

ORDER

23.03.2022

Order No.

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1. This matter is taken up through hybrid mode.

The writ petition has been registered before this Court on 2nd December, 2021, after the original application was transferred from the learned State Administrative Tribunal, Cuttack Bench, Cuttack 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 21.03.2014.

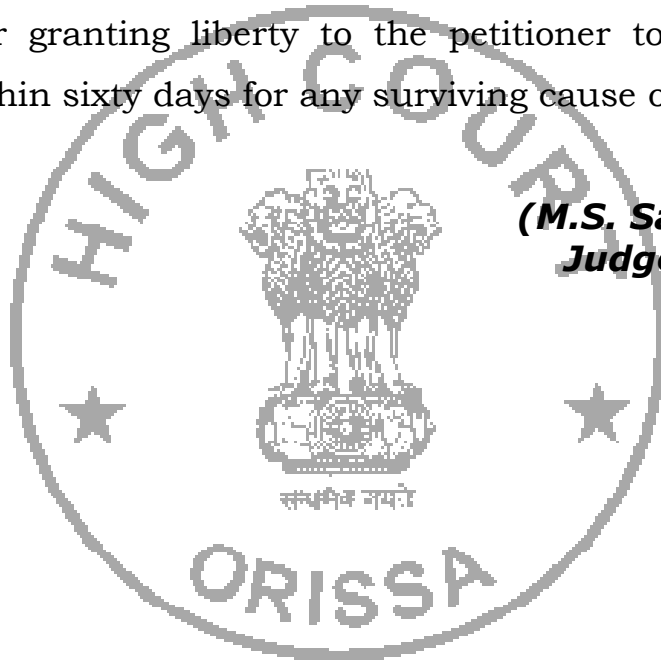
3. The original application was filed in the year 2013 by the applicant when he was aged about 57 years, working as Assistant Teacher in Bangaro Govt. Nodal U.P. School under D.I. of School, Hatadihi in the district of Keonjhar, inter alia seeking for a direction to count his initial period of engagement for giving placement in the seniority list for consideration of his promotion to the Teacher Level-IV from Teacher Level-V. It is fairly submitted by the learned counsel for the petitioner that the petitioner has retired on

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attaining age of superannuation in the year 2016 and he has no up-to-date instruction to pursue the litigation at present.

4. Learned Standing Counsel referring to the averments made in the writ petition submits that considering the nature of grievances i.e. fixation of inter se seniority in a gradation list, nothing would survive after a long lapse of nine years and for the fact that the petitioner has retired in the meantime in 2016.

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



(M.S. Sahoo)
Judge