

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.3045 of 2012

Sanatan Mallick

....

Petitioner

Mr.S.B. Jena, Advocate

-versus-

State of Odisha & others

....

Opp.Parties

Mr. T.K. Praharaj, Standing Counsel

CORAM:

JUSTICE M.S.SAHOO

ORDER

16.03.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. When the matter was taken up on 17.02.2022, the following order was passed :-

“The writ petition has been renumbered and registered before this Court on 29.11.2021 after being transferred, upon abolition of the Orissa Administrative Tribunal, Cuttack Bench, Cuttack.

On perusal of the available order-sheet of the learned Tribunal, it is found that the matter was never listed after 06.09.2017.

It is submitted by the learned counsel for the petitioner that since the file is misplaced, he may be accommodated for some time.

List this matter on 14.03.2022.”

3. The original application was filed in the year 2012 by the petitioner for disbursement of his retiral dues like provisional gratuity, provisional commuted value of pension, unutilized leave salary etc.

4. It is submitted by the learned counsel for the petitioner that he has no up-to-date instructions from the petitioner to pursue the litigation at present.

5. It is submitted by the learned Standing Counsel that the matter was never pursued before the learned Tribunal for last about five years and nothing would survive at present for adjudication.

6. It is further submitted that the petitioner was allowed provisional pension with usual T.I. with effect from 01.02.2012 as he was entitled to (referred to in the counter filed by opposite party no.3) in view of the pendency of two departmental proceedings.

7. 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