

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC(OAC) No. 241 of 2013

Soudamini Takri

Petitioner

Mr. Avas Mohanty, Advocate

versus

State of Odisha & others

Opp.Parties

Mr.T.K.Praharaj, SC

CORAM:

JUSTICE M.S.SAHOO

ORDER

28.3.2022

Order No.

2. 1. This matter is taken up by hybrid mode.
2. It is submitted by learned counsel on behalf of learned counsel for the petitioner that since earlier learned counsel Mr. P.K.Patnaik has been retained as a counsel for the Govt. in this Court, he has instruction to appear.
3. On 23.2.2022 when the matter was taken up, after considering in some detail, following order was passed :

“This matter is taken up through hybrid mode.

The writ petition has been renumbered and registered before this Court on 02.12.2021 after being transferred, upon abolition of Odisha Administrative Tribunal, Cuttack Bench, Cuttack.

On perusal of the available order-sheet of the learned Tribunal, it is found that the matter was never taken up after 18.01.2013.

The original application was filed by the applicant-petitioner, who was working as Junior Clerk in the office of the opposite party, Joint Commissioner of Commercial Taxes, Koraput Range, Jeypore.

It is submitted by the learned Additional Government Advocate that the challenge before the learned Tribunal was to the show cause issued for initiation of the Departmental Proceeding and the learned Tribunal by order

dated 18.01.2013 directed the proceeding to continue and final order to be passed and the final order was only to be implemented after taking leave of the learned Tribunal. It is further submitted that due to long lapse of time, nothing would survive for adjudication in the present writ petition.

Learned counsel for the petitioner submits that since the matter is old one, he is unable to trace out the brief in his Chamber and may be accommodated for a short time.

Accordingly, list this matter on 28.03.2022. Copy of the counter affidavit be served on the learned counsel for the petitioner in the meantime.”

4. Learned counsel for the petitioner submits that he has no up-to-date instruction to pursue the matter on behalf of the petitioner at present.
5. Learned Standing Counsel reiterates the submissions as recorded in the order dated 23.2.2022.
6. Having heard learned counsel for the parties, the writ petition is disposed of due to lack of instruction from the petitioner granting liberty to revive the same within sixty days for any surviving cause of action.

(M.S.Sahoo)
Judge