

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 2877 of 2012

Bibhuti Bhusan Swain

....

Petitioner

Mr. Binay Ku. Mohanty, Advocate

-versus-

***Inspector General of Police,
Central Range, Odisha, Cuttack
& another***

....

Opp. Parties

Mr. R.N. Mishra, Addl. Govt. Advocate

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

ORDER

21.02.2022

Order No.

01.

This matter is taken up through hybrid mode.

The writ petition has been registered before this Court on 29th November, 2021, after the original application was transferred from the learned State Administrative Tribunal upon its abolition.

When the matter was last listed on 23.11.2012 before the learned Tribunal, none had appeared on behalf of the petitioner and the matter was never taken up thereafter.

The original application was filed before the learned Tribunal for “*payment of arrear salary for suspension period or subsistence allowances for that i.e. 31.05.2010 to 01.08.2011.*”

Learned counsel for the applicant/petitioner submits that since the matter is pending for about 10 years, he has no up-to-date instruction and may be permitted some time to contact the petitioner for instruction.

Learned Addl. Govt. Advocate referring to the prayer made in the writ petition submits that since the matter was not pursued before the learned Tribunal after 23.11.2012, nothing would survive for the present.

Learned counsel for the petitioner submits that he may be permitted to withdraw the writ petition with liberty to revive

the same for any cause of action that may survive.

Accordingly, the writ petition is disposed of as withdrawn with liberty to the petitioner to revive the same within sixty days for any surviving cause of action.

(M.S. Sahoo)
Judge

