

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3743 of 2012

Dilip Kumar Jena

....

Appellant

Mr. Amit Mishra, Advocate

-versus-

State of Odisha and others

....

Respondents

Mr. Rajesh Kumar Tripathy, ASC for O.P. No.3

For O.P. No.4-None

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

ORDER

5.4.2022

Order No.

3.

1. This matter is taken up by hybrid mode.
2. 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.
3. When the matter was taken up on 23.2.2022, after considering in some detail, following order was passed :

“The writ petition has been renumbered and registered before this Court on 30.11.2021 after being transferred, upon abolition of Orissa Administrative Tribunal, Cuttack.

On perusal of the available order-sheet of the learned Tribunal, it is found that the matter was never taken up after 14.11.2012.

The original application was filed by the applicant when he was working as Forest Range Officer in Narsinghpur (West), Forest Range in the district of Cuttack, seeking a prayer before the learned Tribunal to quash the order dated 05.11.2012 (Annexure-3) dismissing him from the Government service pursuant to Rule-18 of the OCS (CCA) Rules, 1962 issued by the orders of the Hon'ble Governor by Department of Forest & Environment.

Learned Standing Counsel submits that the conviction in a criminal case as per the OCS (CCA) Rules, 1962 can result in dismissal from service as

provided in Rule-18 thereof. In the present matter, the due procedure has been followed, the Public Service Commission has been consulted and the public service commission had also agreed for dismissal of the applicant from service. It is further submitted that after a long lapse of time of about 10 years, nothing survives in the present writ petition for adjudication.

To grant another opportunity to the petitioner, list on 3rd March, 2022.”

4. Learned Addl. Standing Counsel reiterates the submissions on behalf of the State as noted in order dated 23.2.2022.

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

(M.S.Sahoo)
Judge

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