

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.3745 of 2012

Ch.Babu Rao

....

Petitioner

None

-versus-

State of Odisha & others

....

Opp.Parties

Mr. R.N. Mishra, AGA

CORAM:

JUSTICE M.S.SAHOO

ORDER

Order No.

08.03.2022

2.

This matter is taken up through hybrid mode.

None appears for the petitioner when the matter is called. None had appeared on 23.02.2022 for the petitioner and the following order was passed:-

"2. The writ petition has been renumbered and registered before this Court on 30.11.2021 after Original Application is 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 02.05.2019.

3. The original application was filed (by the petitioner when he was 73 years of age) before the learned Tribunal in the year 2012, challenging order of his removal from service, when he was working as Ex-Naik in the office of the Commandant OSAP 4th Batalian, Rourkela with effect from 19.12.1982. Though the pleadings were completed as per the order dated 13.07.2018, the matter was not taken up thereafter.

4. It is submitted by the learned Standing Counsel that by efflux of time, nothing survives for adjudication in the present writ petition.

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

Learned Addl. Government Advocate reiterates his submissions that nothing would survive for adjudication in the present writ petition considering the challenge to the order of removal from service in the year 1982 when the petitioner was working as Naik in the office of the Commandant OSAP 4th Battalion, Rourkela.

The writ petition is dismissed for non-prosecution granting liberty to the petitioner to revive the same within 90 days for any surviving cause of action.

*(M.S.Sahoo)
Judge*

Gs

