

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3395 of 2013

Kailash Chandra Soy **Petitioner**

None

-versus-

State of Odisha & others **Opp. Parties**

*Mr. T.K. Praharaj, Standing Counsel
for opposite parties 1 to 3*

*Mr.L.K. Mohanty, Advocate for O.P.
No.4*

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

**ORDER
05.04.2022**

Order No.

03.

1. This matter is taken up through hybrid mode.
2. None appears for the petitioner, when the matter is called.
3. When the matter was taken up on 11.03.2022 and 28.03.2022, none had appeared for the petitioner. On 11.03.2022, after hearing learned counsel for the State and learned counsel for opposite party no.4 and considering the matter in some detail, the following order was passed:-

“The writ petition has been registered before this Court on 3rd December, 2021, after the original application was transferred from the learned State Administrative Tribunal, Cuttack Bench, Cuttack upon its abolition.

On perusal of the available order sheets of the learned Tribunal, it is indicated that the matter was never taken up after 20.12.2013.

The original application was filed before the learned Tribunal in the year 2013 by the petitioner/applicant challenging the order passed by opposite party no.3-Sr. Superintendent, Circle Jail, Cuttack at Choudwar giving appointment to

opposite party no.4 vide Order No.1808 dated 16.03.2013 as Jail Warder in the said Circle Jail.

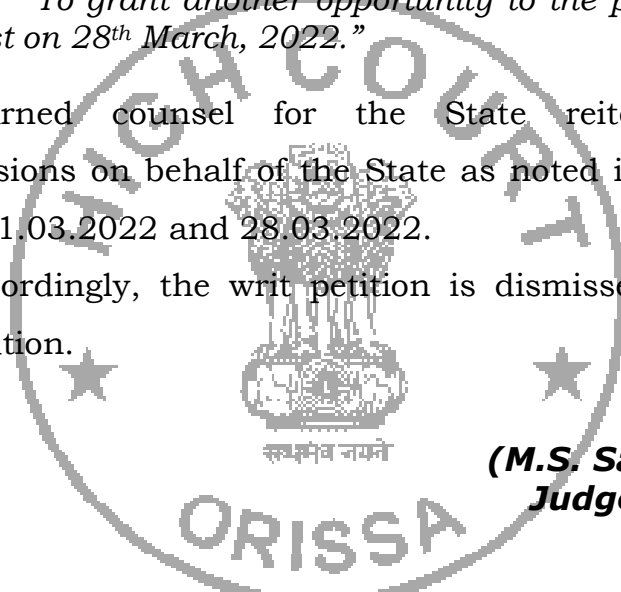
None appears for the petitioner when the matter is called.

Learned Addl. Standing Counsel submits that considering the nature of grievances raised in the writ petition, nothing would survive for adjudication after long lapse of nine years and moreover the rights accrued to opposite party no.4 has crystallized in the meantime in absence of any interim order.

Learned Addl. Standing Counsel relying on the counter filed on behalf of the opposite parties submits that the selection process was just and proper and the petitioner/applicant could not qualify on merit to be appointed as Warder.

To grant another opportunity to the petitioner, list on 28th March, 2022.”

4. Learned counsel for the State reiterated the submissions on behalf of the State as noted in the order dated 11.03.2022 and 28.03.2022.
5. Accordingly, the writ petition is dismissed for non-prosecution.



(M.S. Sahoo)
Judge