

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) 4233 OF 2013

Sarat Kumar Routray

Petitioner

Mr. J.K.Lenka, Advocate

-versus-

State of Odisha and others

.... Opposite Parties

Mr.T.K.Praharaj,SC

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

**ORDER
25.3.2022**

Order No.

1. 1. This matter is taken up by hybrid mode.
2. The Original Application having been transferred from the learned Orissa Administrative Tribunal, Cuttack Bench, Cuttack upon its abolition, has been registered before this Court on 6.12.2021.
3. On perusal of the available order sheets of the learned Tribunal it is indicated that the matter was taken up on 30.1.2014, notices were issued and following interim order was passed :

“So far as the prayer for interim relief is concerned, it is directed that the respondents shall not proceed with the disciplinary proceeding till copies of the documents, mentioned in the memo of evidence attached to Annexure-3 are furnished to the applicant. Before proceeding further, the respondents shall also pass appropriate orders on the prayer of the applicant dated 3.12.2013 at Annexure-6, praying for

supply of some more documents, which he requires for his defence.”

4. Thereafter the matter was listed on 27.10.2014 reiterating the earlier order dated 30.1.2014 and the matter was never taken up thereafter.

5. It is submitted by learned counsel for the petitioner that he has no up-to-date instruction to pursue the matter on behalf of the petitioner for the present.

6. Learned AGA submits that considering the nature of grievance raised before the learned Tribunal regarding supply of the documents in the departmental proceeding initiated against the petitioner, in all fairness, learned Tribunal could not have passed any interim order once it was directed that the copy of the documents were to be supplied to the petitioner.

7. Having heard learned counsel for the parties, the writ petition is disposed of for 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

dutta