

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WPC(OA) No.337 of 2013**

**Chandan Kumar Rath** .... **Petitioner**

*Mr. Amit Kumar Das, Advocate*

*-versus-*

**Chairman, OPSC & others** .... **Opp.Parties**

*Opp.Party no.1- None*

*Mr. Sonak Mishra, Standing Counsel for the School  
& Mass Education Department for O.P.No.2*

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

**ORDER**

**21.03.2022**

**Order No.**

1. This matter is taken up through hybrid mode.
2. The writ petition has been renumbered and registered before this Court on 06.12.2021 after being transferred, upon abolition of the State Administrative Tribunal, Cuttack.
3. On perusal of the available order-sheet of the learned Tribunal, it is found that the matter was never taken up after 18.04.2013.
4. It is submitted by the learned counsel for the petitioner that he has instruction to appear after unfortunate demise of learned counsel engaged earlier.
5. The challenge in the original application filed in the year 2013 was to a selection process taken up by the Orissa Public Service Commission (Opposite party no.1) fixing qualifying mark for the viva-voce test for

appointment to the post of Group-B officer in the Department of School and Mass Education of the State.

6. It is submitted by the learned counsel for the petitioner that he does not have up-to-date instructions to pursue the litigation on behalf of the petitioner at present.

7. Learned Standing Counsel in response submits that nothing would survive for adjudication in view of the subject matter of challenge, i.e., recruitment process initiated in the year 2011, after passage of eleven years.

8. Heard learned counsel for the parties, the writ petition is disposed of due to lack of instructions from the petitioner granting liberty to revive the same within sixty days for any surviving cause of action.

**(M.S.Sahoo)**  
**Judge**