

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3728 of 2013

Malati Behera

....

Petitioner

Mr. N. Sarakar, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

Mr. D. Mohapatra, SC (S & ME)

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

ORDER

11.04.2022

Order No.

- 02.
1. This matter is taken up through 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 last taken up on 09.03.2022, after hearing learned counsel for the parties, the following order was passed:-

“At the outset, a prayer for adjournment on behalf of the learned counsel for the petitioner is made, when the matter is taken up.

The writ petition has been registered before this Court on 6th December, 2021, after the original application was transferred from the learned Odisha Administrative Tribunal, Cuttack Bench, Cuttack upon its abolition.

On perusal of the available order sheets of the learned Tribunal, it is indicated that the original application was filed on 20.11.2013, listed on 12.12.2013 and none had appeared on behalf of the petitioner.

The original application was filed before the learned Tribunal when the petitioner/applicant was 43 years, working as Headmaster, Salamundai Primary School under Udala Block in the district of Mayurbhanj challenging the order of suspension dated 24.10.2013 issued by the opposite party no.4- District Inspector of Schools, Kaptipada Education District in the district of Mayurbhanj.

RJ

It is submitted by the learned Standing Counsel for the School and Mass Education Department that nothing would survive considering the nature of grievance raised before the learned Tribunal and for the fact that the matter was not pursued before the Tribunal for about 9 years.

As prayed for by the learned counsel for the petitioner, to grant another opportunity to the petitioner, list on 11th April, 2022.”

Learned Standing Counsel reiterates the submissions on behalf of the State as noted in the order dated 09.03.2022.

Having heard learned counsel for the parties, the writ petition is disposed of granting liberty to revive the same within sixty days for any surviving cause of action.

