

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**WPC(OAC) No. 4240 of 2012**  
**Kailash Chandra Mohapatra** .... **Petitioner**  
Mr. Prafulla Kumar Mohapatra, Advocate  
-versus-  
**State of Odisha and others** .... **Opp. Parties**

Mr. H.K.Panigrahi, SC

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

**ORDER(Oral)**  
**12.7.2022**

**Order No .**

**4**

1. This matter is taken up through physical mode.
2. On 17.2.2022 when the matter was taken up, the following order was passed :

*“The writ petition has been renumbered and registered before this Court on 01.12.2021 after being transferred, upon abolition of the State Administrative Tribunal, Cuttack Bench, Cuttack.*

*On perusal of the available order-sheets of the learned Tribunal, it is found that the matter was never listed after 18.12.2012.*

*The office note in the Registry of the learned Tribunal does not show whether notices were issued to the opposite parties or they were made sufficient. Though there is an interim order dated 18.12.2012 against the opposite parties.*

*As undertaken by the learned counsel for the petitioner, copy of the petition be served on Mr. Mishra, learned Additional Government by 23.02.2022.*

*Learned Addl. Government Advocate is directed to obtain up-to-date instruction in the matter.*

*List this matter on 12.04.2022.”*

3. Thereafter on 12.4.2022, the matter was heard and following order was passed :

*“2. Learned counsel for the petitioner submits that in compliance of the order dated 17.2.2022, he has*

*served copy of the writ petition today on the learned counsel for the petitioner.*

*3. Learned Additional Standing Counsel for State submits that he may be granted some time to obtain instruction in the matters.*

*4. On perusal of the order sheet of the learned Tribunal, following interim order was passed on 18.12.2012 :*

*“So far as the prayer for interim relief is concerned, it is directed there shall be no recovery from the salary of the applicant pursuant to Annexure-4 without leave of this Tribunal.”*

*3. Learned Additional Standing Counsel shall obtain instruction regarding interim order.*

*4. As prayed for, list on 13.5.2022.”*

4. It is submitted by learned counsel for the petitioner that he has no up-to-date instruction to pursue the matter at present.

5. Having heard learned counsel for the parties, the writ petition is disposed of due to lack of instruction from the petitioner to pursue the matter at present granting liberty to revive the petition within sixty days for any surviving cause of action.

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

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