

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3570 of 2013

Balaram Mohanty

....

Petitioner

Mr. Amiya Ku. Tarai, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

Mr. T.K. Praharaj, Standing Counsel

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

ORDER

28.03.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. It is submitted by the learned counsel for the petitioner that he has no up-to-date instruction to pursue the litigation on behalf of the petitioner.
3. On 11.03.2022, when the matter was taken up, the following order was passed :-

"1. 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.

2. On perusal of the available order sheets of the learned Tribunal it is indicated that the matter was never taken up after 15.12.2015.

3. None appears for the petitioner when the matter is called.

4. The O.A. was filed in the year 2013 by the petitioner who has stated to be working as Gomitra in the district of Kendrapara challenging the upper age limit for recruitment as per the advertisement dated 23.09.2013 to fill up the vacancies in the post of Livestock Inspector advertised by the Chief District Veterinary Officer, Kendrapara. Further prayer before the learned Tribunal was to relax the upper age limit in favour of the applicant.

5. It is submitted by the learned AGA that considering the nature of grievance, the writ petition is devoid of any merit as fixing up of upper age limit, is a matter of policy and claim of the petitioner is without any statutory backing. It is further submitted that after a long lapse of nine

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years, the challenge to a selection process of the year 2013, would not survive or succeed.

6. To grant another opportunity to the petitioner, list this matter on 28.3.2022.”

4. Learned Standing Counsel reiterates the submissions on behalf of the opposite party-State as noted in the order dated 11.03.2022.

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

