

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3959 of 2013

Deepak Minz

....

Petitioner

Mr. Ramachandra Patnaik along
with Mr. Susanta Kumar Sahu, 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 .

04

1. This matter is taken up through physical mode.
2. When the matter was taken up on 7.3.2022, after hearing learned counsel for the petitioner as well as learned counsel for the State, following order was passed :

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

On perusal of the available order sheets of the learned Tribunal, it is indicated that matter was never taken up after 13.01.2014.

The original application was filed in the year 2013 by the applicant who had presented his candidature to be selected as a Constable in the 6th India Reserve Battalion, Tartua in the district of Khurda.

Learned counsel for the petitioner submits that the matter being old one, he has not been able to trace out the file immediately and may be accommodated for some time.

It is submitted by the learned Addl. Govt. Advocate that the recruitment process pertains to the year 2013 as such nothing would survive for adjudication in the present writ petition. Referring to the counter filed by the Commandant, 6th India Reserve Battalion, Khurda (opposite party no.4), it is submitted that the petitioner was not selected after the

measurement of height which was below the minimum prescribed limit.

To grant another opportunity to the petitioner, list on 28th March, 2022.”

3. Thereafter the matter was adjourned on 28.3.2022 and again adjourned on 29.4.2022 at the instance of the learned counsel for the petitioner.

4. When the matter is taken up today, it is submitted by learned counsel for the petitioner that he has no up-to-date instruction to pursue the matter at present.

5. Learned Standing Counsel reiterates the submissions on behalf of the OP-State as noted in the earlier order dated 7.3.2022.

6. 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

dutta