

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

**WPC(OAC) No. 4267 of 2012**

**Shiv Charan Mohanta**

....

**Petitioner**

Mr. P.K. Mohapatra, Advocate

-versus-

**State of Odisha & others**

....

**Opp. Parties**

Mr. P.K. Panda, Standing Counsel  
(School and Mass Education Deptt.)

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

**ORDER**

**25.03.2022**

**Order No.**

02.

1. This matter is taken up through hybrid mode.
2. When the matter was taken up on 17.02.2022, the following order was passed :-

*“The writ petition has been renumbered and registered before this Court on 02.12.2021, 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 21.12.2012.*

*It is submitted by the learned counsel for the petitioner that the matter has been decided finally in a connected similar matter by the learned Tribunal vide order dated 06.01.2017 passed in O.A. No.3993(C) of 2012.*

*A copy of the said decision be served on the learned Standing Counsel by 22.02.2022, who shall apprise the Court in the next listing.*

*List this matter on 25.03.2022. Response of the State, if any, shall be filed by 18.03.2022.”*

3. 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 at present.

4. It is submitted by the learned Standing Counsel that considering the nature of grievance i.e. a challenge to a order dated 23.11.2012 (Annexure-7) by which the petitioner was

asked to work as Asst. Teacher in Durdura High School, nothing would survive for determination and more so the petitioner would have retired in the year 2013 on attaining age of superannuation.

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

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

