

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 4374 of 2012

Gopal Krushna Mohanty

....

Petitioner

None

-versus-

State of Odisha & others

....

Opp. Parties

Mr. D. Mund, Addl. Govt. Advocate

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

ORDER

04.03.2022

Order No.

02.

This matter is taken up through hybrid mode.

None appears for the petitioner. None had also appeared when the matter was called on 23.02.2022.

Facts of the case and the contentions were noted by order dated 23.02.2022, which is reproduced below:-

“This matter is taken up through hybrid mode.

None appears for the petitioner.

The writ petition has been registered before this Court on 3rd December, 2021, after the original application was transferred from the learned Orissa Administrative Tribunal, Cuttack Bench, Cuttack upon its abolition.

On perusal of the available order sheets of the learned Tribunal, it is indicated that the matter was never taken up after 25.08.2015.

The original application was filed in the year 2012 before the learned Tribunal by the applicant challenging the advertisement dated 25.07.2012 (Annexure-3) and appointment order dated 20.10.2012 (Annexure-4) issued in favour of opposite party no.4 with a further prayer to give appointment to the applicant/petitioner.

It is submitted by the learned Standing Counsel, referring to the counter affidavit filed on behalf of opposite parties that challenge to a advertisement in the year 2012 would not survive after a long lapse of time of 10 years, when the applicant was not protected by any interim order.

It is further submitted that challenge to the appointment of the opposite party no.4 after ten years has been rendered infructuous for the fact that the rights accruing to opposite party no.4 have crystalised.

To grant another opportunity to the petitioner, list on 4th March, 2022.”

Considering the nature of grievances, the writ petition would have been rendered infructuous, by efflux of time.

Since none appears for the petitioner, the case is dismissed for non-prosecution.

(M.S. Sahoo)
Judge