

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3696 of 2013

Samira Kumar Naik

....

Petitioner

Mr. Sujit Ku. Swain, Advocate along
with Mr. R.K. Pradhan, 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 on behalf of the petitioner at present.
3. When the matter was taken up on 07.03.2022, the following order was passed after considering the matter in some detail:-

"None appears for the petitioner.

The writ petition has been registered before this Court on 8th 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 matter was never taken up after 12.12.2013.

The petitioner/applicant had filed the original application in the year 2013 challenging the selection/recruitment process for the post of Fireman in the establishment of opposite party no.2-Director General of Police, Fire Services, Odisha pursuant to the advertisements dated 18.04.2013 and 06.06.2013, results of which were declared on 06.11.2013.

Learned Addl. Govt. Advocate submits that after long lapse of time of about nine years, nothing would survive for adjudication in the present writ petition, more so for the fact that the respective rights of the selected candidates would have crystallized in the meantime.

Relying on the counter filed before the learned Tribunal dated 26.04.2014, learned Addl. Govt. Advocate submits that the applicant had secured 48.38 marks in aggregate in written test after having qualified in the physical test, whereas the cut-off marks for the SC category to which the applicant belongs to was 49.75 marks.

It is submitted in view of such statements in the counter, the writ petition is liable to be dismissed being devoid of merit.

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

4. Learned Standing Counsel reiterates the submissions on behalf of the opposite party-State as noted in the order dated 07.03.2022.

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 at present granting liberty to revive the same within sixty days for any surviving cause of action.

(M. S. Sahoo)
Judge