

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAPC) No.265 of 2013

Dasarathi Nahak

....

Petitioner

Mr. R.K.Pattnaik, Advocate

-versus-

State of Odisha & others

....

Opp.Parties

Mr. R.N. Mishra, Addl. Govt. Advocate

CORAM:

JUSTICE M.S.SAHOO

ORDER

24.02.2022

Order No.

5. 1. This matter is taken up through hybrid mode.
2. The writ petition has been renumbered and registered before this Court on 08.12.2021 after being transferred, upon abolition of Odisha Administrative Tribunal, Bhubaneswar.
- On perusal of the available order-sheet of the learned Tribunal, it is found that the matter was never taken up for admission, the only date, it was listed on 04.03.2014 adjournment was sought for on behalf of the applicant.
3. The original application was filed in the year 2013 by the applicant/petitioner, who was 60 years of age working as work charged employee in the minor Irrigation Section of Dharakote under the Minor Irrigation (W/C) Sub-Division, Sorada, Ganjam.
4. It is submitted by the learned counsel for the petitioner that the petitioner may be permitted to pursue the remedy available under law in accordance with law for any surviving cause of action.
5. It is submitted by the learned Additional Government Advocate that the petitioner retired on 30.04.2013, while

working in the work charged establishment from 31.02.2009 and never worked in the regular establishment to be entitled to regular pension other than the retiral benefits that was received by the petitioner as a work charged employee.

6. Having heard the learned counsel for the parties, the writ petition is disposed of as not pressed granting liberty to the petitioner to pursue remedy available under law before the appropriate authority in accordance with law.

(M.S.Sahoo)
Judge

Gs

