

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No. 1603 of 2019

Sri Akhaya Kumar Mohanty

....

Petitioner

None

-versus-

State of Odisha and others

....

Opp.Parties

Mr. R.N.Acharya, SC, S&ME Department for OPs.1 & 2

For O.P.No.3-None

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

**ORDER
22.12.2022**

Order No.

Hybrid Mode

02. 1. When the matter was last taken up on 11.10.2022, following order was passed :

"2. The writ petition has been registered before this Court on 01.07.2022 after the Original Application was transferred upon abolition of the learned Odisha Administrative Tribunal, Bhubaneswar.

3. On perusal of the available order sheets of the learned Tribunal it is indicated that notices on admission were issued on 01.05.2019 directing to file counter within four weeks and rejoinder was to be filed within two weeks thereafter.

4. After 01.05.2019 the matter was not taken up/pursued. It is submitted by Ms. Nayak, learned counsel for the petitioner that arguing counsel is unable to appear due to personal difficulty. Therefore, the matter may be adjourned.

5. It is further submitted that since Mr. S.N.Patnaik who had earlier entered appearance for the petitioner has been empanelled as an Additional Government Advocate, his name may be deleted from the cause title as well as the case brief.

6. Accordingly, the Registry shall delete the name of Mr. S.N.Patnaik from the case brief as well as the cause list from the next listing.

7. Learned Standing Counsel submits that since the matter refers to the advertisement of the year 2018-19 for recruitment to the post of Principal in Government Hindi Teacher's Training Institute, nothing would survive for adjudication at present after a lapse of more than three years.

8. As prayed for, list this matter on 25.11.2022.

9. Counter be filed by the next date. Copy be served. Petitioner shall have the liberty to file rejoinder if so advised."

2. None appears for the petitioner when the matter is called.

3. Learned Standing Counsel reiterates his submissions as noted in the above order dated 11.10.2022.

4. Having heard learned Standing Counsel, the writ petition is disposed of granting liberty to the petitioner to revive the same within sixty days for any surviving cause of action.

(M.S.Sahoo)
Judge

dutta