

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 38624 of 2020

State of Odisha and others

.....

Petitioners

Mr. A.K. Mishra, AGA

Vs.

Sukumar Dukhu & Anr.

.....

Opposite parties

*Mr.B.S. Tripathy-1, Advocate
(O.P.1)*

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

04.04.2022

Order No.

05

This matter is taken up through hybrid mode.

2. Mr. B.S. Tripathy-1, learned counsel enters appearance for opposite party no.1 by filing Vakalatnama in Court today. The same be kept on record. His name and the names of his associates be indicated in the cause list as counsel for opposite party no.1.

3. Heard Mr. A.K. Mishra, learned Additional Government Advocate for the State-petitioners and Mr. B.S. Tripathy-1, learned counsel for opposite party no.1.

4. Mr. B.S. Tripathy-1, learned counsel for opposite party no.1 brings to the notice of this Court that the order passed by the Odisha Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No.2214(C) of 2016 has been complied with. As such, the State-petitioners have filed this writ petition after expiry of three years.

5. In view of such submission, once the order of the tribunal

has been complied with, this Court is not inclined to entertain this writ petition. As such, the tribunal passed the order on 12.04.2017 and the State petitioners have filed the writ petition on 31.12.2020 and in the meantime, three years have passed. Therefore, the writ petition suffers from delay and laches in view of judgment/order of this Court in the case of ***State of Odisha v. Surama Manjari Das***, (W.P.(C) NO.15763 of 2021 dismissed on 16.07.2021).

6. Accordingly, the writ petition stands dismissed.

Alok/Puspa

