

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 1231 of 2019

Mahajan Pradhan

....

Petitioner

Mr. J.K.Digal, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Nayak, AGA

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

ORDER

13.10.2022

Order No.

1.

1. This matter is taken up through hybrid mode.

2. The writ petition has been registered before this Court on 03.02.2022 after the Original Application was transferred upon abolition of the learned Odisha Administrative Tribunal, Cuttack Bench, Cuttack.

3. On perusal of the available order sheets of the learned Tribunal it is indicated that the notices were issued by order dated 28.06.2019 directing to file counter within four weeks and rejoinder was to be filed within two weeks thereafter.

4. Learned Tribunal in the interim had directed as follows :

“So far as prayer for interim order is concerned, it is made clear that the departmental proceeding will continue and final order shall not be passed without leave of this Tribunal.”

5. It is submitted by learned counsel for the petitioner that during pendency of the proceeding before the learned Tribunal, unfortunately the petitioner passed away, therefore, he does not want to press this petition at present leaving the question of law open.

6. Learned AGA fairly submits that he has no objection for such prayer.

7. Accordingly, the writ petition is disposed of granting liberty to the legal heirs to revive the same for any surviving cause of action within sixty days.

dutta

(M.S.Sahoo)
Judge

