

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.672 of 2019

Dilip Dalabehera

....

Petitioner

None

-versus-

State of Odisha & others

....

Opp.parties

*Mr. R.N. Acharya, Standing Counsel for the
School and Mass Education Department*

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

ORDER

10.10.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. The writ petition has been registered before this Court on 04.02.2022 after the Original Application was transferred from the learned Odisha Administrative Tribunal, Cuttack Bench, Cuttack upon its abolition.
3. On perusal of the available order-sheets of the learned Tribunal, it is indicated that notices on admission were issued by the learned Tribunal on 15.03.2019. Thereafter by order dated 16.07.2019 the learned Tribunal granted liberty to publish the select list for selection to the post of Contractual Trained graduate Teachers (TGT PCM, TGT CBZ and TGT Arts) in Govt. Secondary School, Odisha.
4. Learned Standing Counsel referring to the counter submits that nothing survives for adjudication at present, more so, for the reason that the select list was published on 23.02.2019 and in the meanwhile three and half years have passed.

5. Learned Standing Counsel referring to the averments made in paragraph-13 of the counter reply filed on behalf of the opposite party no.2 submits that no cause of action survives at present, which is quoted herein:

“13. That, subsequently in a High Level Meeting at Department held on 25.03.2019, it has been decided to allow these candidates to appear at the Recruitment Test and also consider them for engagement/ appointment if they are included in the merit list and select list.”

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

(M.S.Sahoo)
Judge

