

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 39444 of 2021

Hrusikesh Patnaik

....

Petitioner

Mr. D.K. Sahu, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. Arnav Behera, ASC

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

07.12.2022

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Parties.
3. This writ petition has been filed by the Petitioner seeking a direction to the Opposite Parties to allow him to continue at his present place of posting after quashing the impugned order of transfer under Annexures-2 and 6.
4. It is submitted by the learned counsel for the Petitioner that although the writ petition has been filed challenging the order of transfer under Annexures-2 and 6, however, in the meantime, the Petitioner has already retired from service w.e.f. 31.05.2022 on attaining the age of superannuation. Therefore, the writ petition has become infructuous.

5. At this stage, learned counsel for the Petitioner makes a prayer that to regularize the leave period. However, on perusal of the writ petition, the same has not been prayed in this writ petition.

6. In such view of the matter, the Petitioner is granted liberty to approach the Opposite Party No.2 by filing a fresh representation for regularization of the leave period and in the event such a representation is filed before the Opposite Party No.2, the Opposite Party No.2 shall consider and dispose of the same in accordance with law within a period of four weeks from the date of filing such representation. The decision so taken thereon shall be communicated to the Petitioner within two weeks thereafter.

7. With the aforesaid observation and direction, this writ petition is disposed of.

(A.K. Mohapatra)
Judge

Debasis