


M.J.S.Rao-Vrs-UIO&Ors


Hearing Sl.No.6
OA No.793/11
ORDER DT.24.04.2014


CORAM
THE HON'BLE MR.A.K.PATNAIK, MEMBMER (JUDL.)
THE HON'BLE MR. R.C. MISRA, MEMBER (ADMN.)

.....
Heard Mr.A.Kanungo, Learned Counsel for the Applicant
and Mr.R.S.Behera, Learned panel counsel for the Respondents and
perused the records.

Mr.Kanungo, Learned Counsel for the Applicant has fairly
submitted that virtually this OA has been filed by the applicant praying
for implementation of the order of this Tribunal dated 26.08.2004 in OA
No. 1105/2002 filed by the Applicant in this Tribunal earlier and has
further submitted that after filing the counter, the applicant for the first
time came to know that the order dated 26.8.2004 in OA No. 1105/2002
has been challenged by the Department before the Hon'ble High Court of
Orissa in WP (C) No. 2141 of 2005. Mr.Behera, Learned panel counsel
for the Respondents has produced copy of the order of the Hon'ble High
Court of Orissa on perusal of which we find that the order dated
26.8.2004 in OA No. 1105/2002 has been stayed which is still in force,
as submitted by Mr. Behera.

In view of the above, we are of the considered view that this
OA filed by the applicant does not survive. This OA is therefore disposed
of with liberty to the applicant to pursue his grievance, if subsists, in
appropriate proceeding before appropriate court of law, if so desired, after
disposal of the Writ Petition pending before the Hon'ble High Court of
Orissa. There shall be no costs.

Member (Admn.) 


Member (Judicial)