

ITEM NO.21

COURT NO.4

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 24403/2017

(Arising out of impugned final judgment and order dated 04-07-2017 in WP(C) No. 13297/2016 passed by the High Court Of Orissa At Cuttack)

BABAJI CH. MOHANTY

Petitioner(s)

VERSUS

LAKSHMIKANTA MISHRA & ORS.

Respondent(s)

(FOR [APPLICATION FOR VACATION] ON IA 141427/2017)

Date : 19-07-2018 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s) Mr. Arunav Patnaik, Adv.
Mr. Karun Pahwa, Adv.
Mr. Santosh Kumar - I, AOR

For Respondent(s) Mr. Soumyajit Pani, Adv.
Mr. Chittaranjan Sikngh, Adv.
Mr. Vinodh Kanna B., AOR

Mr. Subhasish Mohanty, AOR

UPON hearing the counsel the Court made the following
O R D E R

We find that the petitioner has already retired from service. By interim order dated 04.10.2017, this Court stayed his reversion from the post of Audit Superintendent.

Therefore, without going to the merits of the matter, this Special Leave Petition is disposed of as follows :-

The petitioner shall be treated to have retired as Audit Superintendent for all purposes and his pensionary benefits shall be settled accordingly. We make it clear that this order is passed

in view of the fact that the petitioner happened to retire during the pendency of the Special Leave Petition.

We direct the State to constitute a Departmental Promotion Committee (DPC) to assess the suitability of the first respondent for appointment to the post of Audit Superintendent with effect from the date of retirement of the petitioner. This shall be done within a period of six weeks from today.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR