

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.1678 of 2021

Panchanan Rout ***Petitioner***

Mr. P.K. Rath, Advocate

-versus-

Surendra Kumar, I.A.S and others ***Opposite
Parties/Contemnors***

Mr. P.K. Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
16.12.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. It is submitted by learned counsel for the petitioner that the order dated 05.11.2019 in W.P.(C) No.20548 of 2019 and CONTC No.518 of 2020 dated 13.10.2020 passed by this Court to implement the order passed by this Court It is further submitted by learned counsel for the petitioner that the above noted writ petition has been confirmed by the Hon'ble Supreme Court by dismissing the SLP No.7121 of 2020 vide order dated 09.09.2021, which was challenged by the State Government. As such, the order passed by this has attained finality.
4. In such view of the matter, learned counsel for the petitioner submits that the contemnor is deliberately and willfully violating this

Court's order. Earlier learned counsel for the State took time on several occasions to obtain instruction in the matter. Despite earlier orders, no instruction has been obtained by the learned counsel for the State and the order passed by this Court has not yet been implemented. In my considered view, such conduct of the contemnor is condusive.

5. As a last chance, three weeks time is granted to the contemnor to comply with the order passed by this Court failing which Principal Secretary, Finance Department, Bhubaneswar shall appear in person in Court at 10.30 A.M, on 27.01.2023 and explain as to why he states not be proceeded against the violation of the order 05.11.2019 in W.P.(C) No.20548 of 2019, which has also been upheld by the Hon'ble Supreme Court.

6. List this matter on 27th of January 2023.

A free copy of this order be handed over to the learned counsel for the State for communication and compliance.

सत्यमेव जयते

(A.K. Mohapatra)
Judge