



IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.1678 of 2021

Panchanan Rout

....

Petitioner

Ms. S. Mohapatra, Advocate

-versus-

***Surendra Kumar, IAS and
others***

....

***Opposite Parties/
Contemnors***

Mr. B. Nayak, AGA

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

26.02.2026

Order No.

17.

This matter is taken up through hybrid mode.

2. Pursuant to order dated 12.02.2026, Mr. Sanjeeb Kumar Mishra, I.A.S., the present Principal Secretary, Government of Odisha, Finance Department, appears through virtual mode and begs unconditional apology for not acting in terms of the previous orders passed by this Court.

3. Mr. Nayak, learned AGA submits, today he has filed a show cause along with an I.A. through e-filing for dispensing with the personal appearance of the Principal Secretary, Government of Odisha, Finance Department.

4. Mr. Nayak, learned AGA further submits, the Principal Secretary, Government of Odisha, Water Resources Department so also the Accountant General are responsible for implementing the order dated 5.11.2019 passed by the coordinate Bench in W.P.(C) No.20548 of



2019, vide which a direction was wrongly given to the Principal Secretary, Finance Department, Government of Odisha to consider the grievance of the Petitioner in terms of the order dated 20.12.2018 passed in W.P.(C) No.13852 of 2005.

5. Mr. Nayak, learned AGA, drawing attention of this Court to paragraph No.4 of order dated 22.12.2025, further submits, despite communication made vide letter dated 28.10.2025 to the Principal Secretary, Government of Odisha, Water Resources Department seeking instruction regarding compliance of order passed in W.P.(C) No.20548 of 2019, the instruction is still awaiting, for which, the present Principal Secretary, Finance Department, Government of Odisha could not do the needful, as directed by this Court in W.P.(C) No.20548 of 2019.

6. Ms. Mohapatra, learned Counsel for the Petitioner, who admits to have received copy of the said I.A. so also show cause affidavit submits, instead of filing compliance affidavit, a further show cause affidavit has been filed by the present Principal Secretary, Government of Odisha, Finance Department. This being the 5th show cause affidavit filed by the Opposite Party No.2-Contemnor, reiterating the earlier stand taken before this Court, deserves to be rejected, being misleading. She further submits, after about 7 years a stand has been taken before this Court for the first time that the Principal Secretary, Government of Odisha, Water Resources Department is the competent authority to do the needful in terms of the order passed in W.P.(C) No.13852 of 2005. Ms. Mohapatra,



drawing attention of this Court to order dated 22.12.2025 passed in this proceeding submits, in view of such detailed order, the Principal Secretary, Finance Department, Government of Odisha ought to have filed a compliance affidavit, instead of filing a misleading show case affidavit. Such an act of the Contemnor is further contemptuous.

7. However, Mr. Sanjeeb Kumar Mishra, I.A.S., the Principal Secretary, Finance Department, Government of Odisha, who is present through virtual mode, undertakes to coordinate with the Principal Secretary to Government of Odisha, Water Resources Department and do the needful within a period of three weeks hence for compliance of order dated 05.11.2019 passed in W.P.(C) No.20548 of 2019 and file compliance affidavit within the said period.

8. It is made clear that if the Contemnors, more particularly, the present Principal Secretary, Water Resources Department, Government of Odisha (Opposite Party No.1) so also Principal Secretary, Finance Department, Government of Odisha (Opposite Party No.2) fail to comply with the order dated 05.11.2019 passed in W.P.(C) No.20548 of 2019 within the extended period, as undertaken by the Principal Secretary, Finance Department, Government of Odisha, both of them shall appear physically before this Court on the adjourned date at 2 P.M. to explain as to why their conduct shall not be construed to be an act of wilful violation of this Court's order and why they shall not be proceeded against under the Contempt of Courts Act, 1971.

9. The matter be listed on 26th March, 2026.



10. Office is directed to communicate a copy of this order along with previous order dated 22.12.2025 urgently to the Principal Secretary, Government of Odisha, Water Resources Department, so also Principal Secretary, Government of Odisha, Finance Department for their information and necessary action.

11. Learned Counsel for the State is given liberty to utilize the digitally signed copy of this order, available in the website of this Court, for the purpose of communication and doing the needful.

Kanhu

(S.K. MISHRA)
JUDGE