



**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  
along with Mr. S.N. Biswal, ASC*

**CORAM: JUSTICE SANJAY KUMAR MISHRA**

**ORDER**

**26.03.2026**

**Order No.**

**CONTC No.1678 of 2021 & I.A. No. of 2026**

**18.**

This matter is taken up through hybrid mode.

**2.** Pursuant to order dated 26.02.2026, Mr. Sanjeeb Kumar Mishra, the present Principal Secretary, Government of Odisha, Finance Department is physically present before this Court. Similarly, Ms. Shubha Sarma, the Principal Secretary, Government of Odisha, Water Resources Department is present before this Court through virtual mode.

**3.** Mr. Mishra, the Principal Secretary, Finance Department on 26.02.2026 undertook before this Court that in coordination with the Principal Secretary, Department of Water Resources will file Compliance Affidavit within a period of three weeks from the said date. Paragraph No.7 and 8 of the order dated 26.02.2026, being relevant, are reproduced below.



“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.”

**(Emphasis supplied)**

4. Mr. Nayak, learned AGA submits, instead of filing Compliance Affidavit, two I.As. have been filed by Mr. Sanjeeb Kumar Mishra, Principal Secretary, Government of Odisha, Finance Department through e-filing. One is for passing of appropriate order holding that order dated 05.11.2019 passed in W.P.(C) No.20548 of



2019 has been fully complied with and the other I.A. to dispense with his personal appearance.

**5.** Mr. Biswal, learned ASC also submits that similar I.As. have been filed by Ms. Shubha Sarma, Principal Secretary, Government of Odisha, Water Resources Department, who is present through virtual mode.

**6.** Since those I.As. are not on record, learned State Counsel files hard copies of three I.As. in the Court, one by the Principal Secretary, Finance Department and two by the Principal Secretary, Government of Odisha, Water Resources Department, which are taken on record.

**7.** Ms. Mohapatra, learned Counsel for the Petitioner admits to have received copies of all the I.As. and prays for a short adjournment to take instruction and file response only to the I.As, vide which, a prayer has been made to pass appropriate order regarding alleged compliance of order dated 05.11.2019 passed in W.P.(C) No.20548 of 2019.

**8.** Out of the three I.A.s filed in the Court, one I.A. has been filed by the Principal Secretary, Government of Odisha, Department of Water Resources, wherein a prayer has been made to permit her to appear today through virtual mode on the ground that question answer session of the on-going Assembly for the Water Resources Department has been scheduled to today (26.03.2026). That apart, she also submits that she is not feeling well.

**9.** So far as the I.A. for allowing the Principal Secretary, Government of Odisha, Water Resources Department to appear through virtual mode, in view of the reasons



assigned in the I.A., so also submission made by her, she is permitted to appear before this Court and address the Court through virtual mode.

**10.** Accordingly, the I.A. stands disposed of.

**11.** Since learned Counsel for the Petitioner seeks time to file Objections to the I.As, as prayed by the learned Counsel for the State, personal appearance of the Principal Secretary, Government of Odisha, Water Resources Department so also Principal Secretary, Government of Odisha, Finance Department is dispensed with for the time being.

**12.** On being asked, Ms. Shubha Sarma, the Principal Secretary, Government of Odisha, Water Resources Department fairly submits, though the order dated 22.12.2025 was duly communicated to her by the Registry along with the order dated 26.02.2026, she has not gone through the contents of the said order before filing the I.A., vide which a prayer has been made to pass appropriate order regarding alleged compliance of order dated 05.11.2019 passed in W.P.(C) No.20548 of 2019. Accordingly, she prays for a short adjournment to go through the said order and file her response, if so required.

**13.** The matter be listed on 9<sup>th</sup> April, 2026.

**14.** In the meantime, the Principal Secretary, Government of Odisha, Water Resources Department may file her response to the observations made by this Court vide order dated 22.12.2025 in form of an Affidavit after serving copy thereof on the learned Counsel for the Petitioner.



**15.** Learned Counsel for the Petitioner may also file her objections, if any, to the I.As filed by the alleged Contemnors in the meantime, as prayed for, after serving copy thereof on State.

**16.** Learned State Counsel is directed to communicate the digitally signed copy of this order, available on the website of this Court, to both the alleged Contemnors for their information and doing the needful, as observed above.

**(S.K. MISHRA)**  
**JUDGE**

*Kanhu*