



IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.1470 of 2025

Saroj Kumar Padhi

....

Petitioner

Mr. Manoja Kumar Khuntia, Advocate along with
Ms. Babita Kumari Pattanaik, Advocate
-versus-

*Shri Vir Vikram Yadav, IAS,
Principal Secretary, Works
Department, Bhubaneswar*

....

Opposite Parties

Mr. Saswat Das, Addl. Government Advocate

CORAM:

THE HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER

13.03.2026

Order No.

08. 1. Mr. Saswat Das, learned Addl. Government Advocate referring to the written instruction received from the Deputy Secretary, Works Department submitted that the petitioner has not submitted pension papers; as such there is no deliberate attempt on the part of the contemnor.
2. Mr. Manoja Kumar Khuntia, learned Advocate for the petitioner drawing attention of this Court to Paragraph-9 of order dated 01.10.2024 passed in W.P.(C) No.11825 of 2023 submitted that the petitioner is required to be extended with all consequential benefits. He drew attention of this Court to orders dated 07.11.2025 and 09.02.2026 passed in this contempt petition, which are reproduced hereunder:

Order dated 07.11.2025

“1. Mr. Saswat Das, learned Addl. Government Advocate files a copy of the compliance affidavit dated 29.10.2025 sworn to by the Principal Secretary to Government in Works Department in Court today by serving a copy thereof on Ms.



Babita Kumari Pattanaik, learned Advocate for the petitioner, which is taken on record.

2. *Mr. Das, learned Addl. Government Advocate submitted that challenging the order dated 01.10.2024 passed in W.P. (C) No.11825 of 2023, an Intra Court Appeal being W.A. No.977 of 2025 has been filed. However, a conscious decision is taken by the Government of Odisha in Works Department pursuant to the opinion rendered by the Law Department to withdraw the said Writ Appeal. Accordingly, the Works Department issued letter dated 14.10.2025 addressed to the learned Advocate General, Odisha, Cuttack with the following text :*

“In inviting a kind reference to the subject cited above, I am directed to say that the Hon'ble High Court vide their Order dtd. 01.10.2024 passed in W.P(C) No.11825/2023 filed by Sri Saroj Kumar Padhi have quashed the Disciplinary Proceedings instituted against Sri Padhi.

In the meantime, the Government in Works Department have been pleased to withdraw the Writ Appeal No.977/2025 as per the opinion rendered by the Law Department w.r.t. the Order dtd. 01.10.2024 passed in W.P.(C) No.11825/2023 of the Hon'ble High Court.

A copy of the Writ Appeal No.977/2025 filed by the O.P.No.1 i.e., the Principal Secretary to Govt., Works Department and order dated 01.10.2024 are enclosed herewith for kind reference.

It is, therefore, requested to kindly look into the issue and take necessary steps for withdrawal of the aforementioned Writ Appeal in the Hon'ble Court challenging the order dated 01.10.2024.”

2.1. *Mr. Das, learned Addl. Government Advocate further submitted that a show cause affidavit has been filed by the present incumbent on behalf of the Contemnor (Works Department). Paragraphs-7 and 8 thereof reads as follows:*



“7. That it is humbly submitted that, however, in the meantime Govt. have decided to withdraw the WA no. 977/2025 filed against order dtd. 01.10.2024 in WPC No. 11825/2023 and accordingly Ld. Advocate General, Odisha has been requested to take necessary steps for withdrawal of the Writ Appeal vide letter No.20039/W dtd. 14.10.2025, a copy of which is annexed herewith as at **Annexure-A/1**.

8. That it is humbly submitted that, steps shall be taken for compliance with the order dtd. 01.10.2024 in WPC No. 11825/2023 soon after allowing withdrawal of the Writ Appeal by the Hon'ble Court, which is awaited.”

2.2. Mr. Das, learned Addl. Government Advocate also submitted that steps have been taken to withdraw the said Writ Appeal to comply with the order dated 01.10.2024 passed in W.P. (C) No.11825 of 2023.

3. List this matter on 12.12.2025.

4. It is needless to say that since the Works Department has taken decision to withdraw the Writ Appeal, there is no impediment in giving effect to the direction rendered in the aforesaid order dated 01.10.2024 passed in W.P. (C) No.11825 of 2023 during pendency of this contempt petition.”

Order dated 09.02.2026

“1. Learned counsel appearing for the petitioner submitted that the order dated 1st October, 2024 passed in WP(C) No.11825 of 2023 has not yet been complied with.

2. Learned Additional Government Advocate appearing for the State, on instructions, submitted that the petitioner is asked to upload or furnish certain material particular to the authority concerned so as to process his pension papers.

3. At this stage, learned counsel for the petitioner objected to such explanation and submitted that since the disciplinary proceeding initiated against the petitioner has



already been quashed by this Court, his client is entitled to promotion and all other consequential benefits, which has not yet been accorded.

4. *Learned Additional Government Advocate prays for a short accommodation to obtain full-fledged instruction in this regard.*

5. *List this matter on 27th February, 2026.”*

3. Mr. Khuntia, learned Advocate also drew attention to order dated 22.07.2025 and relied on Paragraphs-3 and 3.1 of the said order, which read thus:

“3. Learned counsel appearing for the Petitioner drew attention of this Court to Annexure-6 to the writ petition bearing W.P.(C) No.11825 of 2023 filed by the present Petitioner. It is pointed out that the petitioner was one of the four delinquents against whom, disciplinary proceeding was initiated vide order dated 22nd March, 2023. The disciplinary proceeding was initiated under Rule 7 read with Rule 15 of the Odisha Civil Services (Pension) Rules, 1992 against four delinquents, out of whom one of the Petitioners, namely, Sri Deepak Kumar Panigrahi (Ex-A.E.) filed a writ petition being W.P.(C) No.2251 of 2025, where this Court issued notice to the Opposite Party-State and directed the learned Additional Standing Counsel to obtain instruction enabling to file reply affidavit. However, the Department has dropped the proceeding against the said petitioner-Deepak Kumar Panigrahi, notwithstanding pendency of the writ petition vide order dated 10th June, 2025 and accorded promotion to the said delinquent on 19th June, 2025.



3.1. It is submitted that even though the case of the present petitioner-Saroj Kumar Padhi stood disposed of vide order dated 01.10.2024 passed in W.P.(C) No.11825 of 2023, the Department has not complied with the said order.”

3.1. It is further submitted that persons who were facing disciplinary proceeding along with the present petitioner, have got relief(s) by the Department, whereas the contemnor/authority has not extended the benefit(s) to this petitioner.

4. Mr. Saswat Das, learned Addl. Government Advocate having perused the orders as above, submitted that necessary instructions are required from the officers concerned to comply with the direction of this Court.

5. Mr. Das, learned Addl. Government Advocate submitted that the order dated 01.10.2024 passed in W.P.(C) No.11825 of 2023 shall be complied with by the authority concerned and on the next date, an affidavit in compliance of the aforesaid order shall be filed.

6. List this matter on 20th March, 2026.

(M.S. Raman)
Judge

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