



IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No.1564 of 2025

Meena Kumari Pathi

....

Petitioners

Mr. Manoj Kumar Mohanty, Advocate

-versus-

***Nityananda Barik, the District
Education Officer, Jajpur***

....

Opposite

Parties/Contemnors

Mr. Manmaya Kumar Dash, ASC

CORAM:

HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

Order No.

04.

ORDER

13.02.2026

1. Learned counsel appearing for the petitioner drew attention of this Court to order dated 12th February, 2024 passed in WP(C) No.23094 of 2014, wherein it is reflected that the learned State Education Tribunal, Bhubaneswar *vide* judgment dated 11th September, 2009 in G.I.A. Case No.135 of 2006 clearly held as follows:-

“The Application is allowed. The letter no.28813 dtd.10.7.97 of the Directorate of Secondary Education (O.P. No.2) under Annexure-13/A directing O.P. No.3 to approve the appointment of O.P. No.5 is quashed. Further, O.P. Nos.1, 2 & 3 are directed to approve the service of the Applicant against the post of trained graduate (PCM) teach of Chrome Nagar Bidya Pitha at Ferro Chrome Plant under Jajpur Education Circle w.e.f. 20.5.1991 and to release the grant-in-aid in her favour w.e.f. 1.6.1994. They are to comply the order within 3 months from the date of communication of a copy of this judgment. No costs.”

1.1. He submitted that such observation of the learned State Education Tribunal, is affirmed as the appeal against such order in FAO No.433 of 2009 before this Court got dismissed *vide* judgment dated 31st January, 2014. Therefore, in essence, he submitted that since the matter attained finality and the order of the learned State



Education Tribunal was required to be carried out by the concerned authority without any deviation. Despite order dated 12th February, 2024 directing the authority concerned to give effect to order of learned State Education Tribunal, the authorities have taken a new stand by not approving the appointment of the petitioner with effect from 20.05.1991.

2. This Court on request of the learned Additional Standing Counsel appearing for the opposite parties on earlier occasion sought for accommodation, which was granted obviously with the expectation that the order which attained finality would be carried out by the authority concerned without any deviation.

3. A compliance affidavit dated 29th October, 2025 has come to be filed being sworn to by Sri Maheswar Sahoo, District Education Officer, Jajpur, copy whereof was served on the learned counsel for the petitioner on 30th October, 2025.

4. Learned counsel for the petitioner filed reply affidavit, refuting the explanation proffered by the opposite parties in compliance affidavit as aforesaid submitted that orders of this Court has not been complied with in its true perspective.

5. On perusal of record, this Court is satisfied that the District Education Officer, Jajpur has not complied with not only the order dated 12th February, 2024 passed in WP(C) No.23094 of 2014, but also failed to give consequential effect to the dismissal of appeal against the order of the learned State Education Tribunal by approving the appointment of the petitioner with effect from 20.05.1991. The compliance affidavit is hereby rejected.

6. Sri Maheswar Sahoo, District Education Officer, Jajpur is directed to remain personally present before this Court on 20th



February, 2026 to explain why contempt proceeding shall not be initiated against him.

7. After dictating this order, learned Additional Standing Counsel submitted that given one further opportunity the order of this Court shall be complied with by taking into account the order dated 11th September, 2009 passed in G.I.A. Case No.135 of 2006 by the learned State Education Tribunal, Bhubaneswar.

8. Learned counsel appearing for the petitioner has no objection for such fair request made by the learned Additional Standing Counsel.

9. Accordingly, leave is granted to the learned Additional Standing Counsel to ensure compliance of the order, violation of which is alleged in this contempt petition.

10. List this matter on 20th February, 2026. If the order as aforesaid is complied with by the said date, the District Education Officer, Jajpur need not be present in the Court.

(M.S. Raman)
Judge

Laxmikant