



IN THE HIGH COURT OF ORISSA AT CUTTACK

WA No.1519 of 2024

State of Odisha and another

....

Appellant

Represented By Adv. –
Mr. Subha Bikash Panda, AGA

-versus-

Ramesh Chandra Nanda

....

Respondent

Represented By Adv. –
Mr. P.C. Mahapatra, Advocate

**CORAM:
JUSTICE MANASH RANJAN PATHAK
JUSTICE MRUGANKA SEKHAR SAHOO**

ORDER

17.09.2025

(Hybrid Mode)

**Order No.
04.**

1. By our order dated 11.09.2025, we had directed thus and paragraph-2 of the said order is reproduced herein:

“2. The matter shall be placed before the Registrar (Judicial) to obtain explanation from the concerned dealing Assistant under what authority despite the judicial order being for listing the matter for further orders, it has been designated “for hearing”. It is further noticed that on the last date delay was condoned in the appeal and though the matter was admitted there was no order for listing the matter “for hearing” as specific instruction was sought for from the learned Special Judge (Vigilance), Sambalpur, which has been received by the Registry.”

We deal with the above direction and it shall be a separate order from the orders i.e. being passed in the writ appeal.

2. Pursuant to our directions, the Registrar(Judicial) by his note dated 16.09.2025 asked the Superintendent, Writ Appeal



Section, which is part of Flag-‘B’. The Superintendent-in-Charge in his response has stated the following:-

“Registrar (Judicial)

In obedience to your direction dt.16.09.2025 in WA No.1519/2024, I do hereby submit my explanation as follows:-

The record was sent under the heading “For Hearing” instead of “For further orders” for the reason mentioned by the dealing assistant in her explanation which is attached herewith.

In the above circumstances, I may be excused for the inconvenience caused to the Hon’ble Court.”

3. Having gone through the said explanation, we have to record that the explanation is far from satisfactory inasmuch as the order date 12.08.2025 at paragraph-18 is very clear “List on 11.09.2025 for further orders”. In the explanation furnished by the Superintendent-in-Charge he has not bothered to look at the order passed by the Court, a judicial order, which is a matter of concern. He is cautioned and he must realize he has got a reprieve after committing a serious mistake. The Registrar(Judicial) shall take steps for apprising all the staff who are in-charge of listing/dealing with file, putting up notes pursuant to judicial orders for listing of the matter not to change in any manner, even remotely, that is in conflict with the judicial order passed by this Bench.

4. Ms. Sushree Ladly Mohanty by Superintendent, WA Section has given her explanation as indicated herein:-

“xxx

xxx

xxx

In view of Courts Order no.01 dtd. 12.08.2025, the WA-1519/2024 was admitted vide para-15. In IA-3854/2024, stay operation of the impugn order dt.10.02.2023 passed in WPC(OA)-1802/2017 till disposal of the Writ Appeal as an



interim measure and direction was made to list the matter on 11.09.2024 for further orders vide para-18. This created confusion in categorizing, whether the matter has to list under the heading “For Hearing” or “For Further Orders”. With utmost respect, I submit that the note was prepared without any intention of negligence or disobedience to the Hon’ble Courts order.

In the above circumstance, I may be excused for the first time for inconvenience caused to the Hon’ble Court and further I beg an apology not to repeat such mistake in future.”

Conspicuously, she has referred to matter being admitted, also should have noticed that this Court directed for report from the learned Special Judge(Vigilance), Sambalpur to be placed for consideration and it was directed “list on 11.09.2025 for further orders”. More disturbing is the fact that the Registry has received the response from the learned Special Judge(Vigilance), Sambalpur as directed by order dated 12.08.2025 in connection with Vigilance P.S. Case No.31 dated 29.05.2013 and they have in their note have placed the same for consideration as directed by para-18 even then they marked the matter to be listed for hearing.

5. The learned Registrar (Judicial) shall ensure that the order no.4 passed today in the present writ appeal is brought to the notice of the officials of the Registry concerned in this particular case and in general to all other such employees dealing with and handling such files listed before this Bench.

(Manash Ranjan Pathak)
Judge

(Mruganka Sekhar Sahoo)
Judge