



IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.5037 of 2024

Kalpana Sethi

.....

Petitioner

Represented by Adv. -
Siba Prasad Swain

-versus-

***Pradeep Nayak, Superintending
Engineer, Irrigation Division,
Jagatsinghpur and another***

.....

***Opposite Parties/
Contemnors***

Smt. S. Nayak, ASC

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

26.03.2026

Order No.

- 11.
1. This matter is taken up through Hybrid mode.
 2. Despite time being granted to the Opposite Parties-Contemnors vide order dated 13.02.2026 to get the writ appeal bearing W.A. No.1538 of 2025 listed and obtain an interim order staying the order passed by the learned Single Judge Bench, no such order has been produced before this Court.
 3. Learned counsel for the Contemnors-Opposite Parties on the other hand contended that although the matter was in the cause list, however, the same could not be taken up.
 4. This Court, at this stage, makes it clear that mere filing of a writ appeal does not amount to automatic stay of the contempt



proceeding. It is further made clear that once an order is passed by this Court the same is to be implemented, unless the same is quashed or set aside by the appellate forum. In view of the aforesaid position, the Opposite Parties-Contemnors are directed to implement the order within four weeks, as a last chance, which will be subject to the outcome to the writ appeal. However, in the event an order is passed by the Appellate Court, the order being passed today shall be subject to such order likely to be passed in the writ appeal by the learned Division Bench.

5. List this matter on 08.05.2026.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout