



IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.4571 of 2023

Bibhuti Bhusan Rath

....

Petitioner

Mr. Manas Pati, Advocate

-versus-

Anu Garg, IAS and others

....

***Opposite Parties/
Contemnors***

Mr. Swayambhu Mishra, ASC

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

11.04.2025

Order No.

05.

This matter is taken up through hybrid mode.

2. Mr. Mishra, learned ASC for the State-Opposite Parties-Contemnors files photocopy of letter dated 28.03.2025 of the Under Secretary to Government, Department of Water Resources, Government of Odisha addressed to the Office of learned Advocate General, Odisha, Cuttack, vide which it has been brought to the notice of the learned Advocate General that against the order dated 06.04.2023 passed in W.P.(C) No.2399 of 2020, W.A. No.1556 of 2024 has been preferred before the Division Bench and the same is subjudice till date. The Instruction filed in the Court be taken on record.

3. Mr. Mishra, learned ASC for the State-Contemnors submits, W.A. No.1556 of 2024 was last listed on 07.04.2025, on which date it stood adjourned to 15.04.2025. Hence, he prays for listing of the present CONTC any date after 15.04.2025.



4. Mr. Pati, learned Counsel for the Petitioner submits, the order dated 06.04.2023 passed in W.P.(C) No.2399 of 2020 was based on the judgment dated 01.03.2023 passed in W.P.(C) No.16209 of 2020 and on the concession made by the learned ASC for the State- Opposite Parties that the subject matter of the Writ Petition is similar to W.P.(C) No.16209 of 2020. Mr. Pati further submits, W.A. No.2556 of 2023 being preferred against the judgment dated 01.03.2023 passed in W.P.(C) No.16209 of 2020, the said W.A. stood dismissed vide order dated 19.10.2023. Hence, it is no more open for the Contemnors to take such a stand as to pendency of W.A. No.2556 of 2023.

5. Learned Counsel for the State-Contemnors prays for a short adjournment to ascertain as to correctness of submission made by Mr. Pati, learned Counsel for the Petitioner.

6. In view of such prayer made by learned State Counsel, the matter strands adjourned, to be listed during next session of this Bench.

(S.K. MISHRA)
JUDGE