IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No.5709 of 2024

Banshidhar Behera **.....** ***Petitioner***

Represented By Adv. - M/s Sadasiva Patra, Sandeep Rath, Asutosh Rout

-versus-

Anu Garg,addl. Chief Secy. W.r Dept. **.....** ***Contemnor***

Represented By Adv. – S.K. Parhi, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
14.08.2025

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioner.

3. Alleging the violation of this Court's judgment dated 02.11.2023 passed in W.P.(C) No.29125 of 2022 the petitioner has approached this Court by filing the present writ application.

4. On perusal of the judgment dated 02.11.2023 it appears that this Court while disposing of the writ application directed the Opposite parties to grant the benefit to the petitioner in terms of the judgment in ***Narusu Pradhan***'s case. Further it appears that a batch of matter involving identical issues were pending before the Hon'ble Supreme Court. The same has been disposed of on

24.07.2025 i.e. in ***State of Odisha vs. G.Balkrishna***. The Hon'ble Supreme Court has dismissed the SLP filed by the State. As such the order dated 02.11.2023 has attained finality. Since the issue involved in the present writ application is identical with the one that was involved in ***G.Balkrishna***'s case (supra). This Court is of the considered view that the issue has attained finality with the disposal of the abovenoted SLP by the Hon'ble Supreme Court.

5. It is stated by learned counsel for the Petitioner that in the meantime some writ appeals have been withdrawn by the State-Opposite Parties. For an example, learned counsel for the Petitioner produced a copy of order dated 20.11.2024 passed in W.A. No.662 of 2023.

6. Learned counsel for the State on the other hand contended that although a Writ Appeal bearing W.A. No.688 of 2024 challenging the judgment dated 02.11.2023, however the same has not been finally disposed of.

7. No order was produced before this Court showing that either the judgment dated 02.11.2023 has been stayed or the further proceeding in the present contempt proceeding has been stayed by the Hon'ble Division Bench.

8. In view of the aforesaid position, the present contempt application is being disposed of by directing the State-Opposite Parties to implement the order passed by this Court, keeping in view the decision of the Hon'ble Supreme Court in ***State of Odisha vs. G.balakrishan*** disposed of on 24.07.2025 within a period of eight weeks from the date of communication of a copy of today's order, failing which the contemnor shall be liable to be

proceeded against under the Contempt of Court's Act. It is further directed that the aforesaid order is subject to the final order to be passed in the pending writ appeal bearing W.A. No.688 of 2024.

9. The CONTC is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 18-Aug-2025 15:45:14