



IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.3907 of 2025

Kirti Ranjan Mohanty and others

....

Petitioners

*Mr. Budhadev Routray, Senior Advocate
along with Mr. Soumyakesh Swain, Advocate*

-versus-

***Manoj Ahuja,, I.A.S., Chief Secretary-
cum-Chairman, Executive Committee
OPEPA and others***

....

Opposite Parties

Mr. Sanjay Rath, Additional Govt. Advocate

CORAM:

HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

Order No.
06.

ORDER
16.01.2026

1. Referring to the dicta of the Hon'ble Supreme Court in the case of *Sanjiv Kumar Singh vs. The State of Bihar and others, 2023 LiveLaw (SC) 63* that mere filing of writ appeal would not operate as a stay of the direction contained in the judgment passed in the writ petition, the show cause affidavit filed by the opposite party no.2 was rejected *vide* order dated 05.12.2025, Mr. Budhadev Routray, learned Senior Advocate along with Mr. Soumyakesh Swain, learned Advocate for the petitioners submitted that despite issue notice to the opposite parties on the earlier occasion by rejecting the show cause, no step has been taken to comply with the tenor of judgment dated 11.03.2025 passed in W.P.(C) No.11314 of 2023.

2. Mr. Sanjay Rath, learned Additional Government Advocate sought for two weeks' time to apprise this Court by way of an



affidavit with respect to status of compliance of the direction contained in the aforesaid judgment of this Court. It is reiterated that mere filing of writ appeal, without an order of stay of impugned judgment therein, shall not restrain this Court from proceeding with the contempt petition.

3. Considering the prayer of the learned Additional Government Advocate, ten days' time is granted.

4. It is needless to observe that pendency of the writ appeal may not detain the contemnor/OPEPA from complying with the direction in the judgment 11.03.2025 passed in W.P.(C) No.11314 of 2023, which shall, of course, be subject to the result of the writ petition. In the event that an affidavit containing the status of compliance of the direction is not filed on the next date, action deemed proper shall be initiated against the contemnor/OPEPA.

5. List this matter on 30th January, 2026.

(M.S. Raman)
Judge

Aswini

Signature Not Verified

Digitally Signed
Signed by: ASWINI KUMAR SETHY
Designation: Personal Assistant
(Secretary-in-charge)
Reason: Authentication
Location: ORISSA HIGH COURT,
CUTTACK
Date: 16-Jan-2026 15:28:31