



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24349 of 2025

Union of India and others* *Petitioners

*Mr. P.K. Parhi, D.S.G.I.
along with
Mr. Kaibalya Panda,
Central Govt. Counsel*

-versus-

***Hemanta Kumar Pani and
others* *Opp. Parties***

*Mr. Trilochan Rath,
Advocate*

CORAM:

**THE HON'BLE MR. JUSTICE S.K. SAHOO
THE HON'BLE MR. JUSTICE SIBO SANKAR MISHRA**

ORDER

29.10.2025

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

When the matter was taken up for hearing on 13.10.2025, a letter dated 10.10.2025 issued by the Assistant Director General (PE-1), New Delhi to the Chief Postmaster General, Odisha Circle, Bhubaneswar was handed over to us. As per the said letter, it was communicated to the Chief Postmaster General, Odisha Circle, Bhubaneswar that the impugned order of the learned Central Administrative Tribunal, Cuttack Bench, Cuttack (hereinafter "Tribunal") shall be complied with subject to the outcome of pending of the writ petition and the same shall not be considered as a precedent. We have quoted the entire order in our earlier proceeding



dated 13.10.2025.

We had asked the learned Central Govt. Counsel to seek instruction as to whether the impugned order passed by the learned Tribunal is to be complied by the petitioners.

Mr. Rath, learned counsel appearing for the opp. party has brought to our notice that a contempt proceeding bearing C.P. No.59 of 2025 was initiated by opp. parties. The petitioners have filed an affidavit, inter alia, stating as under:

"7. That, it is further humbly submitted that since the implementation is subject to outcome of the Writ Petition and the applicants are now pensioners after retirement from service, it is respectfully submitted that the financial aspect needs to be taken care of very meticulously as to whether the same is to be disbursed to the applicants before disposal of the writ petition or not and the said aspect is still under consideration as recovery of any wrongful payment from the pensioners needs approval of the Hon'ble President of India. However, since all the 15 number of applicants of this O.A. have distinct service particulars and the implementation of the order needs analysis, verification and calculation of huge financial implementations, the same needs to be done in a correct manner. The Departmental Respondents have already complied the



order of this Hon'ble Tribunal and only execution formalities are to be verified and complied as submitted about."

On perusal of the contents of the compliance affidavit, it reveals that the stand taken by the Union of India is completely contrary to the letter issued by the Assistant Director General (PE-1), New Delhi dated 10.10.2025.

We don't appreciate the varied stand taken by the Union of India. Be that as it may, the learned Tribunal taking serious note of the aforesaid conduct of the Union of India has directed the Chief Postmaster General, Odisha Circle, Bhubaneswar to appear in person on the next date of hearing and also imposed cost of Rs.2,000/- (rupees two thousand) and the matter before the learned Tribunal is fixed on 13.11.2025. That being the position, we are not willing to accede to the prayer made by Mr. P.K. Parhi, learned Deputy Solicitor General of India seeking stay of the proceeding before the learned Tribunal in C.P. No.59 of 2025 rather fix the present matter for further hearing in the week commencing from 17.11.2025 to hear out the writ petition. The learned Tribunal may proceed with the matter in accordance with law.

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge