



IN THE HIGH COURT OF ORISSA AT CUTTACK

WA No.1939 of 2023

***Commissioner-cum-Secretary, Health Appellants
& Family Welfare Department,
Bhubaneswar & others***

Mr. Siba Narayan Biswal,
Additional Standing Counsel

-versus-

Dr. Satyapriya Naik & another Respondents

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

06.05.2026

Order No.

- 02.
1. This matter is taken up through hybrid mode.
 2. Perused the order dated 12th November, 2024 passed by Hon'ble Supreme Court in Civil Appeal No.12373 of 2024 and connected matters.
 3. Assailing the order of this Court passed in different writ appeals, wherein this Court dismissed the interim application for condonation of delay and consequently dismissed the appeal(s), the State of Odisha moved the Hon'ble Supreme Court in Civil Appeal No.12373 of 2024 and batch, which were disposed of on 12th November, 2024. Hon'ble Supreme Court vide the said order dated 12th November, 2024 passed the following order:-

“7. In the above circumstances, we deem it appropriate to set aside the impugned judgment(s) of the Division Bench. It would be appropriate to say that the delays before the Division Bench stand condoned. The appeals are accordingly disposed



of. The matters are remitted back to the Division Bench of the High Court so that a decision on merit on the State's challenge, can be rendered. Effort should be made for early disposal of the Writ Appeal(s).

8. Pending application(s), if any, shall stand disposed of.”

4. In view of the above, this Court directs issuance of notice to the contesting Respondent No.1.

5. Since Mr. Sumanta Kumar Nayak, learned Counsel was appearing for Respondent No.1 {Petitioner in WPC(OAC) No.609 of 2015} and the order passed in the said writ petition is impugned herein, this Court directs Mr. Biswal, learned Additional Standing Counsel to serve a copy of the writ appeal on Mr. Sumanta Kumar Nayak, learned Counsel, who was appearing for the Petitioner in the writ petition.

5.1. The Appellants may also take out notice to the contesting Respondent No.1 by Speed Post with A.D. and in that event, requisites shall be filed by 11th May, 2026.

6. Put up this matter on 12th August, 2026 along with the connected writ appeals under the heading “Prioritised by the Hon’ble Supreme Court” indicating the name of the learned Counsel for the Respondent No.1 (learned Counsel for the Petitioner in the writ petition) in the cause list.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Prasant

Signature Not Verified

Digitally Signed
Signed by: PRASANT KUMAR PRADHAN
Designation: Secretary
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 07-May-2026 10:12:25