

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.1493 of 2018

Amar Kumar Behera

....

Petitioner

Mr. D.Mishra,
Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.H.K.Panigrahi,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.3.2022.

I.A. No.162 of 2022

Order No.

- 12 .
1. This matter is taken up through hybrid mode.
 2. Heard Mr. D.Mishra, learned counsel for the Petitioner and Mr. H.K.Panigrahi, learned Addl. Standing Counsel for the State.
 3. This I.A. has been filed alleging that after passing of the order dated 25th February, 2022 by this Court in I.A. No.150/2021 whereby, the impugned order of dismissal of the Petitioner from service was set aside and the parties were restored to the position existing prior to passing of the same,

the Petitioner while enclosing a copy of the said order sought to join in his duties on 26th February, 2022 by submitting joining report to the Deputy Conservator of Forests, NFTS, Champua. But the said joining report was not accepted on the ground that no instructions have been received in the office from any corner either from the Government of Odisha or from the Orissa High Court. It is further stated that the Petitioner being a Forest Ranger is supposed to join in the department of Forests, Environment and Climate Change, Government of Odisha and on such basis it was held that the joining letter submitted by the Petitioner is invalid.

4. Mr.H.K.Panigrahi, learned Addl. Standing Counsel seeks time to obtain necessary instructions in this regard.

5. Since this Court has passed a clear order setting aside the impugned order of dismissal, it is incumbent upon the concerned authority to abide by such order. It is unfortunate that the order of this Court is attempted to be violated which, prima facie, suggests a contumacious conduct on the part of the concerned authority. Let the Principal Secretary to Government of Odisha in Forests, Environment and Climate Change Department file an affidavit in this regard by 8th March, 2022 positively.

6. List this matter on 9th March, 2022 along with CONTC No.1718/2022.

7. A free copy of this order be handed over to Mr. H.K.Panigrahi, learned Addl. Standing Counsel for the State for compliance.

8. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

AKB

