

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/INHERENT JURISDICTION**

CIVIL APPEAL NO.2800 OF 2014

WITH

CONTEMPT PETITION (C) NO. 763/2025

IN

WRIT PETITION (C) NO. 140 OF 2013

AND

CONMT.PET.(C) NO. 762/2025

IN

WRIT PETITION (C) NO. 140 OF 2013

SATYAJIT DAS & ANR.

Appellant(s)

VERSUS

AJIT KUMAR TRIPATHY & ANR.

Respondent(s)

O R D E R

1. Our order dated 7.1.2026 reads thus:-

"1. Heard the learned counsel appearing for the parties.

2. Mr. Ayush Anand, the learned Advocate-on-Record appearing for the Government of Odisha has placed before us a communication received by him in writing duly signed by Special Secretary to Government dated 16-12-2025.

3. According to him, the order passed by this Court dated 05-12-2025 in Civil Appeal No.2800/2014 has been duly complied with.

4. It appears that there is some error insofar as the reference of the order in the communication referred to above is concerned.

5. According to the learned counsel appearing for the contempt petitioners, compliance of the order dated 25-7-2025 is to be reported.

6. We direct the Special Secretary to Government, General Administration and Public Grievance Department to file an affidavit before this Court explaining in what manner the order passed by this Court has been duly complied with. In other words, in what manner the statement made by the learned Advocate General for the State before this Court has been complied with.

7. Let a detailed reply be filed in this regard by the next date of hearing well in advance.

8. Post it after two weeks on top of the Board."

2. In pursuance of our order referred to above, the State through its Special Secretary as filed compliance affidavit stating as under:-

"I, Ghasiram Murmu, aged about 58 years, son of Shri. Fatu Charan Murmu, presently working as Special Secretary to Government, General Administration & Public Grievance Department, Government of Odisha, having my office at Lok Seva Bhawan, Bhubaneswar, do hereby solemnly affirm and state as follows:

1. That I am the Special Secretary to Government, General Administration & Public Grievance Department, Government of Odisha and am well acquainted with the facts of the case and competent to swear this affidavit on behalf of the State.

2. That the instant affidavit is being filed in furtherance of the Order dated 07.01.2026 passed by this Hon'ble Court in Contempt Petition (C) Nos. 762/2025 and 763/2025, whereby this Hon'ble Court directed the deponent to explain in what manner the Order dated 25.07.2025 has been complied with, and to clarify the statement made on behalf of the State before this Hon'ble Court.

3. That by Order dated 25.07.2025. passed in I.A. No. 54006/2024 in W.P.(C) No. 140 of 2013. this Hon'ble Court had passed the following Order as extracted hereunder.

"1. Having heard learned Senior Counsel for the applicants/petitioners well as learned Advocate as General for the State of Orissa, the instant application is disposed of with a direction that let the applicants/petitioners or all such officers, who are higher in merit, be also granted the equivalent status in service as was accorded to similarly placed officers, i.e., Satyajit Das and Rudra Narayan Acharya in compliance to order dated 21.09.2011 by creating supernumerary posts.

4. That pursuant to the aforesaid directions the General Administration & Public Grievance Department identified 19 candidates selected through the Odisha Civil Service Examination, 1997, who were 19 candidates, 16 are in-service officers. 2 have already retired, and higher in merit and entitled to equivalent treatment. Out of the said I officer has expired during service.

5. Government Orders were obtained for creation of supernumerary posts under the Unreserved category, as mandated by this Hon'ble Court, for granting notional appointment, seniority fixation, and consequential service benefits, without financial arrears.

6. That in furtherance of the above the GA & PG Department issued Letter No. 42689 dated 16.12.2025, recommending re-allocation and appointment of the said candidates to the Odisha Administrative Service (OAS) in compliance with the Hon'ble Court's order, and requested the Revenue & Disaster Management Department to issue appointment notifications and undertake seniority fixation.

7. That subsequently, after a meeting held on 31.01.2026 under the Chairmanship of the Hon'ble Minister, Revenue & Disaster Management, and in presence of the Chief Secretary, the recommendations

were modified and finalized for 17 candidates, excluding cases no longer requiring implementation, and communicated vide departmental letter dated 06.02.2026.

8. That with furtherance to Order dated 25.07.2025 and Letter No. 4009/SCS dated 06.02.2026 the Revenue & Disaster Management Department has issued necessary supernumerary posts, notional appointment, cadre reallocation, and fixation of inter-se seniority of eligible officers in the Odisha Administrative Service.

Copy of Letter No. 4009/SCS dated 06.02.2026 issued by the General Administration & Public Grievance Department is annexed herewith and marked as ANNEXURE-R/1 from Pg. No. 7 to 9.

9. That the R & DM Department has also been requested to Grant of notional appointment to OAS cadre at par with juniors by interpolation of seniority in the OAS Gradation List, 2011, based on OPSC merit ranking.

10. That vide Letter No. 4009/SCS the GA & PG Department has extended the pensionary benefits to retired officers on the basis of notional pay fixation.

11. That vide Letter No. 5622/R&DM dated 07.02.2026, issued by the Revenue & Disaster Management Department and addressed to the Accountant General (A & E), Odisha, sanction has been accorded for creation of 17 (seventeen) supernumerary posts in the Orissa Administrative Service Class-II cadre under the Unreserved category, in compliance with the directions of this Hon'ble Court.

Copy of Letter No.5622/R & DM dated 07.02.2026, issued by the Revenue & Disaster Management Department is annexed herewith and marked as ANNEXURE -R/2 from Pg.No.10 to 12.

12. That the Revenue & Disaster Management Department has accordingly issued Notification No. 5625/ R & DM dated 07.02.2026 providing for notional appointment of 17 officers to the Orissa Administrative Service Class-II cadre retrospectively with effect from 05.02.1999 against supernumerary posts, with stipulation of notional pay fixation

without arrear financial benefits.

Copy of the Notification No. 5625/R & DM dated 07.02.2016 is annexed herewith and marked as Annexure-R/3 from Pg. No. 13 to 16.

13. That the respondents have the utmost respect for the Orders passed by this Hon'ble Court and is committed to complying with the same in letter and spirit. The State Government reiterates its resolve to fulfil the directions of this Hon'ble Court diligently and expeditiously.

14. That the Annexure annexed to the present Affidavit is true copy of its respective original.

15. That the Deponent craves the leave of this Hon'ble Court to file further Affidavit/documents if and when required/directed by this Hon'ble Court.

16. It is respectfully submitted that the facts stated herein above are true to the best of my knowledge and belief"

3. To the aforesaid compliance affidavit, the Contempt Petitioners have filed their objections.
4. The objections are essentially one relating to grant of notional benefits with respect to pay parity and arrears.
5. Insofar as other aspects are concerned Mr. Anand Sanjay M Nuli, the learned senior counsel would submit that there has been due compliance at the end of the State.
6. We dispose of the main appeal, i.e., Civil Appeal No. 2800 of 2014 and both the contempt petitions directing the State to now look into the issue as regards the grant of notional benefits with respect to pay parity and arrears.

7. Let an appropriate decision be taken as regards the aforesaid within a period of four weeks from today after giving an opportunity of hearing to the contempt petitioners.
8. Insofar as I.A. Nos.28539 and 28540 of 2026, respectively are concerned, which have been filed in the main matter i.e., Civil Appeal No.2800/2014, the respondents shall look into the same and take an appropriate decision within a period of four weeks.
9. All other pending application(s) stand disposed of in the above said matters.

.....J.
[J.B.PARDIWALA]

.....J.
[UJJAL BHUYAN]

New Delhi
12th May, 2026

cd

ITEM NO.23

COURT NO.7

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No.2800/2014

SATYAJIT DAS & ANR.

Appellant(s)

VERSUS

AJIT KUMAR TRIPATHY & ANR.

Respondent(s)

[ONLY CONMT.PET.(C) NO. 762/2025 AND CONMT.PET.(C) NO.
763/2025 IN W.P.(C) NO. 140/2013 ARE LISTED UNDER THIS
ITEM]

IA No. 28540/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 28539/2026 - INTERVENTION APPLICATION

WITH

CONMT.PET.(C) No. 763/2025 in W.P.(C) No. 140/2013 (X)
FOR ADMISSION

CONMT.PET.(C) No. 762/2025 in W.P.(C) No. 140/2013 (X)
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
ON IA 98473/2026

IA No. 98473/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 12-05-2026 These matters were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) : Mr. Narendra Hooda, Sr. Adv.
Mr. Anand Sanjay M Nuli, Sr. Adv.
Mr. Mahesh Kumar, Adv.
Mr. Ankit Kumar, Adv.
Ms. Manisha, Adv.

Ms. Yashica Rawal, Adv.
Mr. Lalit Belwal, Adv.
Ms. Abhilasha Belwal, Adv.
Mr. Sanjay Sharma, Adv.
Mr. Aniruddha Purushotham, AOR

Mr. Anshuman Siddharth Nayak, AOR
Mr. Rahul Kulhare, Adv.
Mr. Ratnadeep Raha, Adv.
Mr. Divya Prakash Arya, Adv.

Mr. Vmz Chambers, AOR

For Respondent(s) : Mr. Shibashish Misra, AOR

Mr. Sridhar Potaraju, Sr. Adv.
Ms. Niharika Singh, Adv.
Ms. Chamundeswari Pemmasani, Adv.
Ms. Arlene Noroha, Adv.
Ms. Shiwani Tushir, AOR

Mr. Ayush Anand, AOR
Atmika Patnaik, Adv.
V. Vidyan, Adv.
Mr. Monu Kumar, Adv.
Mr. Vishal Kumar, Adv.
Mr. Debbrata Dash, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The appeal and contempt petitions are disposed of in terms of the signed order.
2. The relevant part of the order is as under:-

"6. We dispose of the main appeal, i.e., Civil Appeal No. 2800 of 2014 and both the contempt petitions directing the State to now look into the issue as regards the grant of notional benefits with respect to pay parity and arrears.

7. *Let an appropriate decision be taken as regards the aforesaid within a period of four weeks from today after giving an opportunity of hearing to the contempt petitioners.*
8. *Insofar as I.A. Nos.28539 and 28540 of 2026, respectively are concerned, which have been filed in the main matter i.e., Civil Appeal No.2800/2014, the respondents shall look into the same and take an appropriate decision within a period of four weeks.*
9. *All other pending application(s) stand disposed of in the above said matters."*

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

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed order is placed on the file)