

ITEM NO.19+20

COURT NO.5

SECTION XI-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 15853/2024

(Arising out of impugned judgment and order dated 24-11-2023 in WA No. 2525/2023 passed by the High Court of Orissa at Cuttack)

ODISHA UNIVERSITY OF AGRICULTURE AND  
TECHNOLOGY & ANR.

Petitioner(s)

VERSUS

KABITA MISHRA &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.113233/2024-CONDONATION OF DELAY  
IN FILING)

WITH

SLP (C) Diary No. 15858/2024

(IA No.115810/2024-CONDONATION OF DELAY IN FILING)

WITH

Diary No(s). 10317/2024 (XI-A)

(IA No.112613/2024-CONDONATION OF DELAY IN FILING and IA  
No.112616/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT  
and IA No.112615/2024-CONDONATION OF DELAY IN REFILEING / CURING  
THE DEFECTS)

Date : 17-05-2024 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRAFor Petitioner(s) Mr. Naveen Kumar, AOR  
Ms. Aprajita Bhardwaj, Adv.  
Mr. Shourajeet Chakravarty, Adv.  
Mr. Prabhat Kumar Rai, Adv.  
Mr. Nitesh Bhandari, Adv.  
Ms. Stuti Bisht, Adv.  
Ms. Rashmi Priya, Adv.  
Mr. Maitreya, Adv.  
Mr. Utkarsh Chandra, Adv.

For Respondent(s) Mr. Suresh Tripathi, AOR (appearance not given)

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

Delay condoned.

2. Heard Mr. Naveen Kumar, learned counsel appearing for the petitioners.

3. The counsel submits that although the University had a good case on merits in their writ appeal(s), the Division Bench had dismissed the case only on the ground of delay. It is then pointed out that the delay was not inordinate and it is only around 65 days (not 110 days), 63 and 100 days respectively in filing the writ appeals in the High Court. It is then submitted that the Special Leave Petition(s) are filed seeking remand of the matters to the Division Bench to consider the University's writ appeal on merit.

4. Issue notice.

5. Mr. Suresh Tripathi, learned counsel who has filed caveat on behalf of respondent no.1, accepts notice. Hence, formal notice need not be issued to respondent no.1 in the SLP(Civil) Diary No.15858/2024.

6. If contempt proceeding is initiated by the respondent, the University is at liberty to mention about pendency of the present Special Leave Petitions, before the concerned Court.

7. In the meantime, as is submitted by Mr. Suresh Tripathi, the entitled salary with Grade Pay of Rs.5400 be continued. It is however, made clear that the Higher Grade Pay of Rs.6,000/- per month, is not being ordered.

8. Tag with SLP(C) Diary No.11306/2024.

(GEETA JOSHI)  
SENIOR PERSONAL ASSISTANT

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR