

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.283 of 2022

Sasmita Panda and others

Petitioner
Mr. R.K. Bisoi, Advocate

-versus-

Raj Kumar Sharma, I.A.S. & others

Opposite
Parties/Contemnors
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
04.11.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. Pursuant to the order dated 17.03.2017 passed in O.A. No.2169 of 2015, the petitioners approached the authorities for regularization/absorption of their services since the order passed by the OAT, Bhubanewar has not been complied with by the authorities. The petitioners approached this Court by filing W.P.(C) No.22631 of 2019, which was disposed of by order dated 26.11.2019 directing the opposite parties to comply with the direction given by the learned Tribunal vide order dated 17.03.2017. Thereafter, they have filed a contempt petition bearing CONTC Nos.466 of 2020 and 1219 of 2020, which were disposed of on 05.11.2021 and 24.02.2020 and the same has not been complied with and the petitioners have approached this Court by filing the present contempt petition, which

is 3rd contempt petition.

4. Learned counsel for the State-opposite parties submits that relying upon the letter issued by the Chief District Medical Public Health Officer, Mayurbhanj vide Letter No. 938 dated 10.02.2022, the petitioners have been regularized by the Chief District Medical Public Health Officer, Mayurbhanj.

5. Learned counsel for the petitioners submits that the opposite parties have not filed show cause as per direction issued by the learned Tribunal. However, he does not dispute the fact of regularization against the sanctioned regular posts. It is further submitted by learned counsel for the petitioners that against the order dated 17.03.2017, the State Government has preferred a writ petition before this Court, which was dismissed by the division Bench of this Court vide order dated 26.11.2019 and confirmed the order of the learned Tribunal. Thereafter, the State Government had approached before the Hon'ble Apex Court by filing SLP(Civil) Diary No.23377 of 2020 and the same was also dismissed vide order dated 05.01.2021. However, the order passed by the learned Tribunal attains finality.

6. Considering the submissions made by the respective parties, this Court disposes of the contempt application granting liberty to the petitioners to file fresh representation pursuant to the letter dated 10.02.2022 before the opposite parties within a period of two weeks from today. In the event such representation is filed within the aforesaid period, the same shall be considered and disposed of by passing a speaking and reasoned order within a period of eight weeks from the date of filing of fresh representation. Any decision taken on the same shall be communicated to the Petitioner within a period of

two week thereafter.

7. With the aforesaid observation/direction, the CONTC stands disposed of.

(A.K. Mohapatra)
Judge

Jagabandhu

