

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.1644 of 2022

Tutu Naik

....

Petitioner

Mr. J.R. Dash, Advocate

-versus-

***G. Mathivasan, I.A.S.,
Secretary in the Housing and
Urban Development Department,
New Secretariat Building,
Bhubaneswar and others***

....

***Opp. Parties/
Contemnors***

Mr. N.K. Praharaj, AGA

**CORAM:
JUSTICE A.K. MOHAPATRA**

ORDER

03.02.2023

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard the learned counsel for the Petitioner as well as learned Additional Government Advocate appearing for the contemnor.
3. On perusal of order dated 30.09.2021 passed by this Court in W.P.(C) No.30319 of 2021, it appears that the clear direction was given to regularize the services of the Petitioner. It is further contended by the learned counsel for the Petitioner that in similar other cases, the authorities have already implemented the order passed by this Court and persons have been regularized in service. It is further contended that the order passed by this Court on 27.11.2014 in an identical manner in W.P.(C) No.26860 of 2013 which was disposed of by giving a direction to regularize the services was assailed before a Division Bench by the State of Odisha as well as Angul Municipality by filing writ appeal bearing W.A. No.470 of 2015. The said writ appeal has been dismissed on 19.1.2016 by the Division Bench. Against the order passed by the Division Bench, the

State as well as Angul Municipality preferred SLP before the Hon'ble Supreme Court and the Hon'ble Supreme Court by a common order dated 13.5.2016 has also been pleased to dismiss the SLP. Thus, the order passed on 27.11.2014 in W.P.(C) No.26860 of 2013 has attained finality.

4. Taking into consideration the aforesaid facts that the coordinate Bench has disposed of the writ petition of the Petitioner by giving a clear and unambiguous direction to regularize the services of the Petitioner. However, it is alleged that despite such direction, neither the order has been complied with nor the same has been challenged in any higher forum.

5. Taking into consideration the aforesaid facts, this Court, as a last chance, grants four weeks' time to the contemnors to implement the order passed by the coordinate Bench on 30.09.2021, failing which, the Opposite Parties shall call upon to file show cause as to why they shall not be proceeded with under the Contempt of Court's Act for willful and deliberate violation of this Court's order.

6. With the aforesaid observation, the contempt petition is disposed of.

(A.K. Mohapatra)
Judge