

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.266 of 2014

Basanta Kumar Paikaraya **Petitioner**
Mr. K.C. Rajguru Mohapatra, Advocate

-versus-

Radha Mohan Panda **Contemnor/Opp.Party**
Mr. B.A. Prusty, Standing Counsel
for School & Mass Education Department

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M. S. RAMAN

Order No.

ORDER (Oral)
09.09.2022

02.

This matter is taken up through virtual/physical mode.

1. The petitioner had filed W.P.(C) No.21820 of 2012 seeking a direction to the erstwhile Inspector of Schools, now District Education Officer, Khurda to approve the appointment of the petitioner as fourth Peon in Dalatola High School, At/P.O. Dalatola, District-Khurda. The said writ petition was disposed of vide order dated 07.01.2013 directing the competent authority to take a decision on the said prayer keeping in view the ratio of the applicable judgment within a period of two months from the date of receipt of the certified copy of the order.

2. Upon notice, a compliance affidavit dated 02.07.2021 has been filed wherein it is stated that a detailed reasoned and speaking order dated 07.06.2021 has been passed rejecting the representation of the petitioner on merits.

3. Learned counsel for the petitioner states that neither the compliance affidavit has been received nor the petitioner has received the order dated 07.06.2021 rejecting his representation on the alleged merits. He however concedes that the petitioner does have a remedy of challenging that order in accordance with law and therefore nothing would survive in the present contempt.

4. Learned counsel for the Contemnor in view of the aforesaid contention submits that the State would not rake up the plea of delay in challenging the order dated 07.06.2021 provided the same is challenged within three months from today.

5. In view of the above, the CONTC is dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

AKK

9th September, 2022
Cuttack