

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC. No.933 of 2022

N. Chandrasekhara Reddy ***Petitioners***
Mr. S.R. Patnaik, Advocate
-versus-
Binita Senapati, D.E.O., Ganjam ***Opposite Parties***
Mr. S. Mishra, SC

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

Order No.

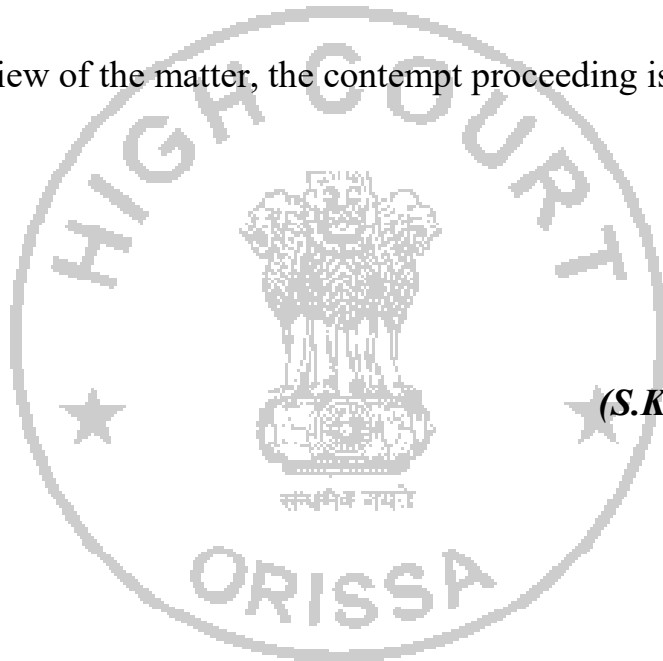
18.04.2022

02. 1. The case is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Standing Counsel for the School and Mass Education Department.
3. A writ petition vide W.P.(C) No.27175 of 2021 was filed by the petitioner challenging the illegal and arbitrary action of the opposite party Nos. 3 and 4 in not releasing the full salary of the petitioner for the period of suspension from 30.11.2017 till 24.07.2018. In the departmental proceedings against the petitioner, he was awarded a minor punishment. Further the increment amount was not calculated for the period of suspension under the ORSP Rules. A representation was pending before the opposite parties in light of the case of P.K. Shrivastava vs. Union of India and others, for considering the aforesaid predicaments.
4. While disposing of the said writ petition, this Court vide order dated 20.09.2021, had directed the opposite party No.3 to dispose of the representation of the petitioner. However, the opposite party

No.3 has failed to comply with the said order. Hence, the present CONTC.

5. Learned Standing Counsel for the School and Mass Education Department submits that since the period of suspension i.e. 30.11.2017 to 24.07.2018 has been treated as censure and the petitioner has not preferred any appeal before the higher authority, the claim made by the petitioner to release his full salary for the suspension period from 30.11.2017 to 24.07.2018 deserves no consideration. Hence it was rejected being devoid of any merit.

6. In such view of the matter, the contempt proceeding is dropped.



(S.K. Panigrahi)
Judge

pcd