

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC NO.1899 of 2022

Kaustuva Mohapatra

....

Petitioner

Mr. Bidyadhar Mansingh, Advocate

-versus-

***Nikunja Bihari Dhal, I.A.S. and
others.***

....

Contemnors

Mr. Y.S.P. Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

31.03.2022

Order No.

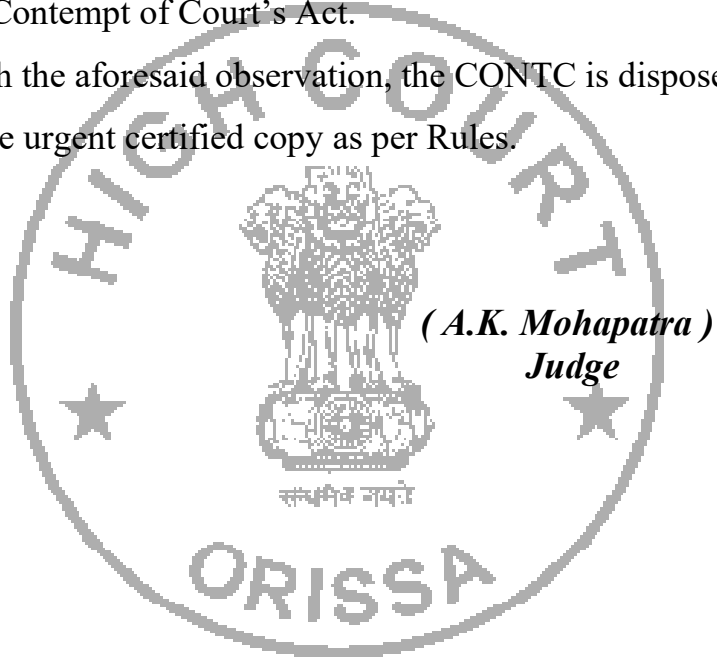
01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner.
3. The present contempt Petition has been filed challenging the non-compliance of the order dated 06.01.2022 passed in W.P.(C) No.40722 of 2021 whereunder this Court has directed the Opposite Party No.3 to consider the case of the Petitioner for promotion to the post of Assistant Manager (Electrical). It has been stated that the Petitioner is placed above Syed Ebrar Alli, who has got promotion to the rank of Assistant Manager (Electrical). This Court further observed that the promotion of the Petitioner is subject to the ultimate outcome in the vigilance proceeding pending against the Petitioner. Thereafter an Interlocutory Application has been filed by Opposite Party No.3 for modification of order dated 06.01.22 and this Court in I.A.No.40722 of 2021 vide order dated 11.02.2022 came to the conclusion that this Court has not interfered with the order dated 06.01.2022. It is submitted by the learned counsel for the Petitioner that the Opposite Parties were

well aware of the order passed by this Court and earlier they had also sought for modification/recall of the said order. However despite failure in their attempt to modify/recall the order dated 06.01.2022 they have deliberately flouted the order of this Court and the order has not been complied with.

4. Taking into consideration the entire facts and circumstances of the present case, this Court grants another opportunity to the Contemnors to comply with the order of this Court within a period of four weeks failing which the Contemnors shall appear before this Court and file their show cause as to why they shall not be proceeded with under the Contempt of Court's Act.

5. With the aforesaid observation, the CONTC is disposed of.

6. Issue urgent certified copy as per Rules.



RKS