

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC (CPC) No. 277 of 2000

Ahalya Kumari Routray **Petitioner**

None

-versus-

Madhur Sarangi & others **Opp. Parties**

Mr. N.K. Praharaj, Govt. Advocate
(SAT)

CORAM:
JUSTICE M.S. SAHOO

ORDER
09.11.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. None appears for the petitioner, when the matter is called.
3. The contempt petition was filed before the learned Tribunal in the year 2000 alleging non-compliance of the order dated 12.01.2000 passed in O.A. No.3302(C)/1999. By the said order, the learned Tribunal had directed as follows:-

“Let the paper book be sent to O.P. No.1 to look into the averments in the original application and sanction the retirement benefits to the applicant as due and admissible within two months from the date of receipt of a copy of this order. Pending that provisional pension on the basis of the last pay she was getting on the date of her retirement be sanctioned within three weeks from the date of receipt of a copy of this order.”

RJ

4. Though, the matter required adjudication by the Tribunal since a prayer involving the substantive right of the petitioner as to grant of retirement benefits was

concerned, somehow, the learned Tribunal felt it appropriate to send the matter to the authority for adjudication without adjudicating itself.

Then petition was filed alleging non-compliance of the order of disposal dated 12.01.2000. As it appears, the CP was directed to be listed for order on 29.08.2000 by the Registry of the Tribunal. Thereafter, in the order sheets of the O.A., two days have been mentioned on which the matter was listed i.e. on 04.09.2000, 11.09.2000, apparently, when the CP was taken up. On both the dates none had appeared for the petitioner before the learned Tribunal.

5. It is submitted by the learned Govt. Advocate, SAT appearing for Opposite Party that since the matter was disposed of on the very first day at the stage of fresh admission i.e. on 12.01.2000, he has no instruction, also there is no further instruction as to whether any action was taken pursuant to the order dated 12.01.2000.

6. Be that as it may, since the matter on behalf of the petitioner is not pursued, the contempt petition is dismissed.

(M.S. Sahoo)
Judge