

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC(CPC) No.213 of 2005

Manoj Kumar Pati

....

Petitioner

None

-versus-

Sidheswar Jena, Principal-in-Charge, N.C.(Auto) College, Jajpur & Others

.... ***Opposite Parties***

Mr. M.K. Khuntia, AGA

CORAM:
JUSTICE M. S. RAMAN

ORDER
23.12.2022

Order No.

02. 1. The Petitioner approached the Learned Odisha Administrative Tribunal by way of Original Application under Section 19 of the Administrative Tribunals Act, 1985 read with the provisions under the Odisha Administrative Tribunal (Procedure) Rules, 1986, seeking for direction to the Opposite Party No.1 (Sri Sidheswar Jena, Principal-in-charge, N.C.(Auto) College, Jajpur) for consideration of appointment as Laboratory Attendant under the Odisha Civil Service (Rehabilitation Assistance) Rules, 1990.
2. Vide order dated 11th April, 2005, the learned Tribunal directed as follows:-

*“*** Considering therefore all these aspects, I am of the view that this case can be disposed of at this stage with a direction to Respondent No.3, to implement the order of the Director issued in Annexures-1 & 6.*

Copy of the paper book therefore be sent to Respondent No.3 asking him to examine the matter and pass appropriate order in this regard keeping in view the direction of the Director in Annexures-1 & 6. This be done within two months from the date of receipt of a copy of this order with intimation of the order so passed in this regard to the applicant within the said time. O.A. is disposed of.”

3. Since the Opposite Party No.1 (Principal in-charge of the College) has not complied with the said direction, the Contempt petition has come to be filed before the learned Tribunal, which has been transferred to this Court after its abolition.
4. Mr. M.K. Khuntia, learned Additional Government Advocate referring to show-cause reply filed by the Opposite Party No.1, in the contempt petition submitted that since the post of Laboratory Attendant has been abolished by Government of Odisha, Department of Higher Education in letter No.III-HE(A5) 31/04-39665/HE, dated 14th October, 2004, much prior to passing of order of the learned Tribunal, the claim of the Petitioner could not be considered which fact is communicated to the Petitioner duly by the said Contemnor.
5. None appeared for the Petitioner at the time of call.
6. In view of the aforesaid submission and show-cause reply, there is no necessity to proceed with the contempt. Hence, the same is closed.
7. Accordingly, the contempt petition is dismissed.

(M.S. Raman)
Judge

Laxmikant