

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No.4688 of 2022

Ashribad Mohapatro

.... ***Petitioner***

Mr. Subhankar Rout, Advocate

-versus-

***Raj Kumar Sharma,
Additional Chief Secretary
of Health and Family
Welfare Department,
Bhubaneswar, Khurda and
Another***

.... ***Contemnors/
Opp. Parties***

Mr. L. Samantaray, AGA

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. SAHOO**

**ORDER (Oral)
31.10.2022**

Order No.
02.

This matter is taken up through hybrid arrangement.

1. Petitioner had challenged before the Odisha Administrative Tribunal in O.A. No.1267 of 2012 the appointment of one Bijaya Kumar Sahoo for the post of Pharmacist on his selection by way of direct recruitment against UR(PH) post, *inter alia* on the ground that the said Mr. Sahoo had produced a fake permanent disability certificate. The said O.A. was disposed of with a direction to the Secretary, Health & Family Welfare Department, Odisha to take appropriate action on the inquiry report submitted regarding the issuance of fake permanent disability certificate in favour of Mr. Sahoo, who then challenged the said order by filing a Writ Petition

bearing W.P.(C) No.11764 of 2014 before this Court, which came to be disposed of vide a detailed judgment dated 25th March, 2022. The said order dated 25th March, 2022 directed the authority concerned to satisfy itself with regard to the appointment of Mr. Sahoo under the UR(PH) category by first letting the petitioner (Mr. Sahoo) appear before the Appellate Medical Board, SCB Medial College and Hospital, Cuttack and thereafter based on the report of such examination take follow up action in accordance with law.

Since needful was not done within the stipulated time, hence the present Contempt Petition.

2. At the time of hearing today, Mr. Samantaray has produced before us a copy of the letter dated 1st August, 2022 issued by the Government of Odisha, Health & Family Welfare Department to the office of Advocate General, Odisha, Cuttack, which is taken on record. The operative portion of the letter reads as under:

“It is submitted that, the order dtd. 25.03.2022 of the Hon’ble High Court passed in W.P.(C) No.11764/32014 has already been complied by the Appellate Medial Board under the chairmanship of Director Medical Education & Training, Odisha at SCB MC & H, Cuttack on 11.04.2022 and the report has been communicated to the CDM & PHO, Khordha for necessary follow up action as mentioned above”.

3. In view of the above, it cannot be denied that the orders passed by this Court stand duly complied with and accordingly the present Contempt Petition does

not warrant to be pursued any further. Accordingly,
contempt proceedings are dropped.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

Sipun

31st October, 2022
Cuttack

