

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.4722 OF 2022

Satyabadi Panda

....

Petitioner

None

-versus-

**Superintending Engineer,
Phulbani**

....

Opp.party

Mr. P.K.Mohanty, ASC

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S.SAHOO

ORDER

21.11.2022

Order No.

Hybrid Mode

01.

1. By filing the present petition, the petitioner alleges non-compliance of the order passed by this Court dated 01.12.2021 disposing of W.P.(C) No.36993 of 2021 and prays the Court to proceed against the opposite party as per the provisions of the contempt of Court's Act.

2. Mr. P.K. Mohanty, learned Additional Standing Counsel appearing on behalf of the opposite party produces the letter no.8910 dated 19.11.2022 issued by the Superintending Engineer, Phulbani (R & B) Division, Phulbani enclosing the letter no.2587 dated 06.05.2022 issued by said Superintending Engineer containing the following :

"... the final bill in respect of the work has already been passed and payment has been made. The EMD, ISD and a part of the security deposit amount has already been released & refunded to you. Only a part of the Security Deposit amounting to Rs.21874/- (Rupees

Twenty one thousand eight hundred seventy four) deducted in 11th Final bill is only outstanding against the work:- “Improvement to Madhapur-Boudha-Manamunda Road from 87/0 to 93/750 Km under CRF” vide Divisional Agreement No.38F2/2002-2003 under Manamunda (R & B) Section.

Therefore, you are requested to apply in proper format through proper channel for release of the same.”

3. It is submitted that in view of the order passed by this Court having been complied with the present contempt petition has been rendered infructuous.

4. None appears for the petitioner to refute the above submissions.

Accordingly, the contempt petition is dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S.Sahoo)
Judge

21st November, 2022
Cuttack

Gs/dutta