

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.3954 of 2020

Aurobindo Choudhury **Petitioner**

Mr. Santosh Kumar Nanda, Advocate

-versus-

Sushant Kumar Singh **Opp. Party**

Mr. A.K. Nanda, AGA

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M. S. RAMAN

ORDER (Oral)

22.02.2022

Order No.

- 02.**
1. This matter is taken up through virtual/physical mode.
 2. The Petitioner in the present Contempt Petition has prayed for issuance of an order against the Opposite Party for non-implementation of the order dated 31.08.2020 passed by this Court in W.A No.487 of 2020.
 3. The brief facts of the case are that the present Petitioner was a Panchayat Samiti member of Karlamunda Gram Panchayat. He along with fifteen other members of the same Gram Panchayat voted for No-Confidence against the Chairman of the Panchayat Samiti of Karlamunda vide resolution dated 17.12.2019 and also moved a requisition to the Sub-Collector, Bhawanipatna asking for a meeting to pass the No-confidence motion.
 4. The Sub-Collector vide notice dated 21.12.2019 fixed 31.12.2019 as the date to hold the No-confidence meeting. However, before the above meeting could be conveyed, the Chairman preferred a Writ Petition before this Court vide W.P.(C) No.27972 of 2019 to quash the notice dated

21.12.2019 and further to stay the operation of the meeting which was to be conveyed to pass the No-Confidence motion. The learned Single Judge of this Court at the stage of admission intermittently stayed the declaration of result of the meeting but allowed the meeting to be held on the earlier fixed date. Further, vide order dated 06.05.2020, the learned Single Judge dismissed the Writ Petition and directed that the results of the meeting be declared.

5. The Chairman preferred a Writ Appeal vide W.A. No.487 of 2020 challenging the judgment passed in W.P. No.27972 of 2019. However, the Appellate Court vide order dated 31.08.2020 also concurred with the judgment of the learned Single Judge and ordered for declaration of the result of meeting held on 31.12.2019.

6. The said order of the Appellate Court was appropriately communicated to the Opposite Party. The Opposite Party failed to comply with the Appellate Court order. Hence, this present Contempt Petition was preferred by the Petitioner.

7. At the time of hearing, learned counsel for the Petitioner requested to withdraw the Contempt Petition as the term of the Chairman has terminated. Hence, the Petition has become infructuous.

8. In view of the above request, the Contempt Petition stands disposed of as withdrawn.

**(Jaswant Singh)
Judge**

**(M. S. Raman)
Judge**

February 22nd, 2022
Cuttack