

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.5351 of 2021

Saroj Kumar Nayak

.....

Petitioner

*Mr. B. Routray, Sr. Adv. along with
Mr. S. Sekhar, Adv.*

Vs.

Anu Garg, IAS and another

.....

Opposite Parties-Contemnors
Mr. S.K. Samal, AGA

CORAM:JUSTICE SANJAY KUMAR MISHRA

ORDER

22.12.2022

Order No.
05.

The matter is taken up through hybrid mode.

2. Learned Counsel for the Opposite Parties-Contemnors submits that pursuant to Order dated 24.06.2022, so also Order dated 10.10.2022 passed in CONTC No.5350 of 2021, a compliance Affidavit has already been filed on 10.11.2022 through e-filing along with Notification dated 07.11.2022 of the Water Resources Department, Government of Odisha. In addition to that, he also files hard copy of the compliance Affidavit along with the said Notification today in the Court after serving copy of the same on the learned Senior Counsel for the Petitioner, which be kept on record,

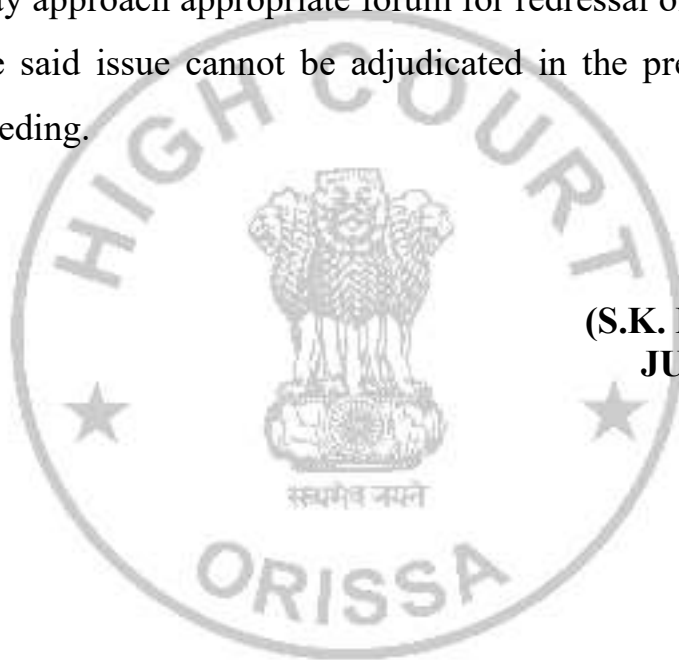
3. Learned Senior Counsel for the Petitioner submits that the date of declaration of the Petitioner as A.E.E.(C) Work-charged should have been from the year 2004, but it has been indicated vide the said Notification dated 07.11.2022 as “21.03.2013”, so far as the Petitioner is concerned and the Order passed by the Tribunal has not been complied with in its true sense.

4. Learned Counsel for the Contemnors submits that there was no specific direction given by the Tribunal as to from which date the Petitioner should be declared as A.E.E.(C) Work-charged.

5. Be that as it may, since a compliance Affidavit has already been filed with regard to implementation of the common Order dated 16.05.2018, passed by the Tribunal in O.A. No.1036(C)/2016, the Contempt Proceeding stands dropped.

6. Needless to mention here that if the Petitioner feels aggrieved by the said compliance Notification dated 07.11.2022, he may approach appropriate forum for redressal of his grievances as the said issue cannot be adjudicated in the present Contempt Proceeding.

padma



(S.K. MISHRA)
JUDGE