

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.5717 OF 2022

Bharat Sahoo & others ***Petitioners***

Mr. Rakesh Behera, Advocate

-versus-

Saroj Kumar Sethi, Collector ***Opp.party***
& District Magistrate,
Dhenkanal

Mr. P.K.Mohanty, ASC

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S.SAHOO

ORDER
07.12.2022

Hybrid Mode

Order No.

02. 1. By filing the present petition, the petitioners allege non-compliance of the order passed by this Court dated 21.06.2022 disposing of W.P.(C) No.12167 of 2022 and further pray the Court to proceed against the opposite party as per the provisions of the Contempt of Courts Act.
2. As directed by this Court's order dated 28.09.2022, learned Additional Standing Counsel has obtained written instruction in the form of compliance report dated 15.10.2022 submitted by the opposite party-Collector-cum-District Magistrate, Dhenkanal, which is taken on record. Copy of the said report is served on the learned counsel appearing for the petitioners.
3. Regarding the steps taken for compliance of this Court's order dated 21.06.2022 disposing of W.P.(C)

No.12167 of 2022, the following has been stated by the opposite party in the compliance report :

“.... ..notice was issued to the petitioners, the date had been fixed for hearing on dated 26.07.2022. On hearing of the matter in presence of the petitioner, the Collector, Dhenkanal instructed DSWO, Dhenkanal to constitute a team headed by Sub-Collector, Dhenkanal instructed DSWO, Dhenkanal to constitute a team head by Sub-Collector, Kamakhyanagar, CDPO, Kankadahad, BDO, Kankadahad and Tahasildar, Kankadahad to make a joint enquiry on the representation dated 8th April,2022 and submit factual report by 02.08.2022 for further course of action.

On receipt of the joint enquiry report from the CDPO, Kankadahad vide her letter no.588 dated 29.07.2022, the case was again posted to dated 30.08.2022 for further hearing.

After hearing both the side, perusing all documents records & joint inquiry report, the Tahasildar, Kankadahad is directed to identify suitable land near old AWC building and handover to CDPO, Kankadahad for immediate construction of AWC building by the BDO after taking of all procedures as per rules & guidelines of Govt. The BDO, Kankadahad was also directed to cancel work order issued earlier for construction of AWC at School premises and to issue a fresh work order for construction of new building near old AWC for greater interest of beneficiaries. As per order dated 21.06.2022 of the Hon'ble Court, Orissa, Cuttack passed in W.P.(C) No.12167 of 2022, the petition is disposed of.”

4. Having gone through the compliance report dated 15.10.2022 filed by the opposite party, in considered

opinion of this Court, the order dated 21.06.2022 disposing of W.P.(C) No.12167 of 2022 stands complied with rendering the present petition infructuous.

Accordingly, the contempt petition is dismissed.

(Jaswant Singh)
Judge

(M.S.Sahoo)
Judge

07th December, 2022
Cuttack

Gs/dutta

