

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No.5832 of 2022

Bipra Ranjan Beura

....

Petitioner

Mr. Mahendra Kumar Sahoo, Adv.

-versus-

Aswathy S. I.A.S. and Anr.

....

Opposite Parties

Mr. Debasis Mohapatra, SC
(for S & ME Deptt.)

CORAM:
DR. JUSTICE S.K. PANIGRAHI

ORDER

02.12.2022

CONTC No.5832 of 2022

Order
No.

- 02.
1. This matter is taken up through hybrid arrangement.
 2. A memo of appearance has been filed by Mr. Mahendra Kumar Sahoo, learned Advocate to appear on behalf of the Petitioner authorized by Mr. Laxmi Prasad Dwivedy, learned counsel for the Petitioner. The same be kept on record.

(Dr. S.K. Panigrahi)
Judge

03.

I.A. Nos.301 and 304 of 2022

1. I.A. No.301 of 2022 has been filed by the Opposite Party No.2/ Senior Standing Counsel, School and Mass Education Cell, Odisha, Cuttack for modification/ clarification of the order dated 29.09.2022 passed in CONTC No.5832 of 2022.

2. I.A. No.304 of 2022 has been filed by the Petitioner seeking further direction to the Contemnors for compliance of the order dated 14.12.2021 passed in WPC(OA) No.1109 of 2019.

3. Heard.

4. Learned counsel for the Petitioner submits that this Court vide order dated 29.09.2022 dropped the CONTC by passing the order as follows:

"1.This matter is taken up through hybrid arrangement.

2. Heard.

3. This CONTC has been filed by the Petitioner for non- compliance of the order dated 14.12.2021 passed by this Court in WPC(OA) No. 1109 of 2019 by the Contemnor.

4. In such view of the matter, the Contemnor is directed to comply the order dated 14.12.2021 passed by this Court in WPC(OA) No. 1109 of 2019 within a period of four weeks from the date of communication of this order and communicate the result thereof to the Petitioner within a period of two weeks thereafter. The Petitioner

shall file a copy of this order along with a self-addressed envelope with sufficient postage stamp before the Contemnor within a period of fifteen days hence.

5. Needless to say that if the Contemnor fails to do as directed above, he/ she shall be personally present in Court.

6. Accordingly, this CONTC is disposed of being dropped. However, the petitioner is at liberty to get this petition restored in case of non-compliance by filing an application to restore."

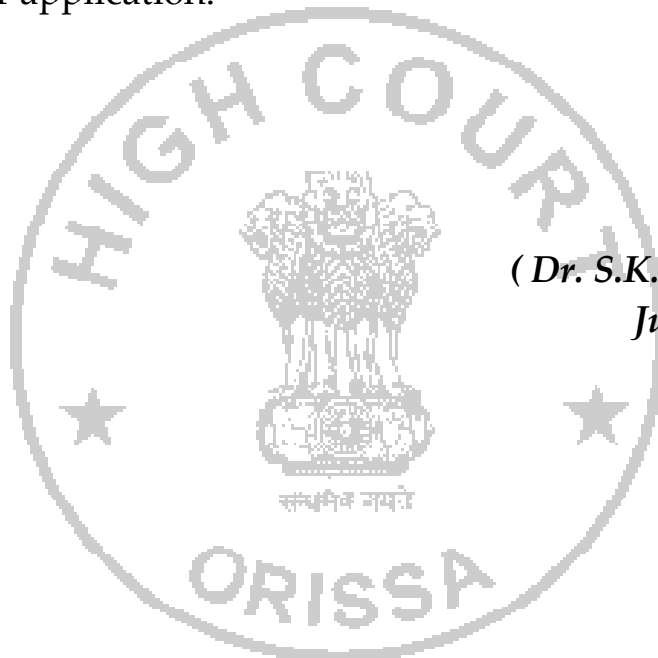
However, though the joining report of the Petitioner has been accepted, he has not been allotted the work. Therefore, the Petitioner is compelled to file I.A. No.304 of 2022.

5. On the other hand, learned Standing Counsel for the Department of School and Mass Education submits that the present deponent i.e. the Opposite Party No.2 is neither the appointing authority nor the competent authority to implement the direction passed by this Court. Moreover, as no direction has been passed to the Opposite Party No.2 in the aforesaid Writ Petition, the Petitioner should not have made the Opposite Party No.2 as Contemnor No.2 in the CONTC. Rather, The Petitioner should have approach the appropriate authority to ventilate his grievance.

6. In such view of the matter, the Petitioner is directed to approach the appropriate authority ventilating his grievance within a period of fifteen working days from today. On such event, the appropriate authority shall take steps for allotment of work to the Petitioner.

7. Accordingly, both the I.As. are disposed of.

8. Urgent certified copy of this order be granted on proper application.



(*Dr. S.K. Panigrahi*)
Judge

B.Jhankar