

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC (CP) No.187 of 2018

Hemanta Kumar Behera

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Applicant

Mr. Krishna Chandra Sahu, Adv.

-Versus-

***Sri P.K. Mohapatra, IAS,
Commissioner-cum-Secretary to Govt.,
School & Mass Education Deptt. & Ors.***

***Respondents/
Contemnors***

Mr. Nilambar Jena,
Standing Counsel for
School & Mass Education Deptt.

CORAM:

JUSTICE C.R. DASH

ORDER

17.02.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard Mr. K.C. Sahu, learned counsel for the applicant and Mr. Jena, learned Standing Counsel for the School & Mass Education Department.
3. Review petition is stated to have dismissed on 29.04.2019.
The following order is passed :-

4. Eschewing the preliminary objection by learned counsel for the State on the ground of limitation etc., I feel persuaded to dispose of the Contempt Petition to prevent further delay and harassment to the applicants.

5. Regard being had to the facts and submissions and further fact that, the contemnor-incumbent must have changed in the meantime, the Contempt Petition is disposed of directing the present incumbent/incumbents to comply with the order of the Orissa Administrative Tribunal passed in O.A. No.2215 of 2016 within three months from the date of communication of this order provided there is no other legal impediment or no order from the higher forum staying the operation of the order of the Orissa Administrative Tribunal for alleging violation of which the present Contempt Petition has been filed. If the present incumbent/incumbents fails/fail to comply with the order by the time prescribed, then the applicants concerned may file fresh contempt for violation of the order of this Court.

6. This order shall only be effective, if the order has not yet been complied with.

7. The compliance order be communicated to the applicants by the present incumbent/incumbents, if not communicated.

8. A free copy of this order be supplied to learned Standing Counsel for onward transmission to the authority/ authorities concerned for communication of the order.

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(C.R. Dash)
JUDGE



