

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No. 6387 OF 2022

Braja Kishore Sahoo ***Petitioner***

Mr. Rajakishore Sahoo, Advocate
-versus-

State of Odisha and another ***Opp. Parties***

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
17.11.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. This contempt application has been filed alleging non-compliance of the order dated 4th April, 2019 passed by this Court in W.P.(C) No.7778 of 2004. While disposing of this writ petition, this Court has passed the following order:

“Hearing the submission of Sri Mishra, learned counsel for the petitioner that under the guideline of the State Government following a direction of the Hon’ble apex Court the case of the petitioner has to be considered for rehabilitation, this Court finds for the guideline by taking decision, as appropriate. In the event the petitioner applies for rehabilitation keeping in view the guideline in operation within a period of three weeks hence, decision, as appropriate, shall be taken by the competent authority and involving the petitioner within a period of two months thereafter.

The writ petition stands disposed of with the observation and direction made hereinabove.

Issue urgent certified copy of this order on proper application”

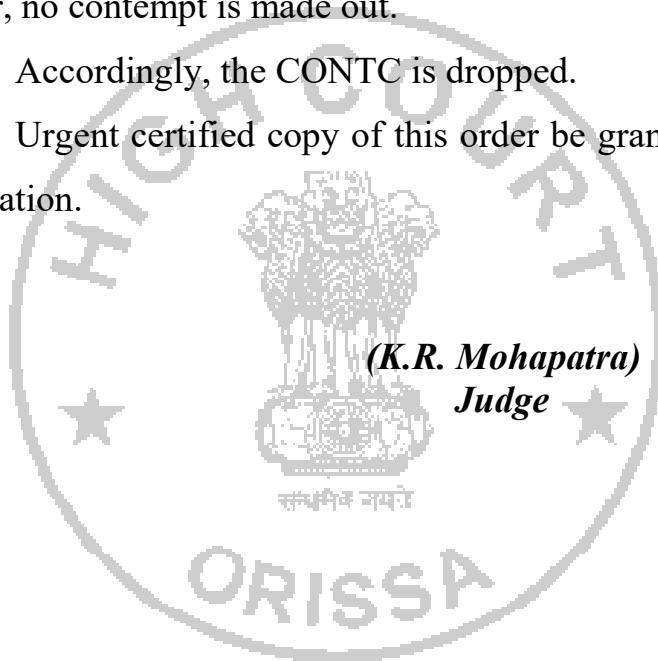
3. Mr. Sahoo, learned counsel for the Petitioner submits that pursuant to the direction of this Court, although the Petitioner has already been enlisted to be rehabilitated, but no action has been taken to rehabilitate him.

4. Mr. Mishra, learned Additional Standing Counsel, however, submits that the contempt application is not maintainable as the order, non-compliance of which has been alleged was passed on 4th April, 2019.

5. Taking into consideration the rival contentions of the parties, this Court finds that there has been an inordinate delay in filing the contempt application. It further appears from the submission of learned counsel for the Petitioner that he has already been enlisted to be rehabilitated. In that view of the matter, no contempt is made out.

6. Accordingly, the CONTC is dropped.

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



(K.R. Mohapatra)
Judge

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