

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC (CPC) No. 678 of 2012

Balaram Sahoo

.....

Petitioner

Dr. J.K. Lenka, Adv.

Vs.

Usha Padhi and others

.....

Opposite Parties

Mr. S. Jena, Standing Counsel, S&ME

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

16.01.2023

I.A. No. 54 of 2022

Order No.

04.

This matter is taken up through hybrid mode.

2. This application has been filed by the petitioner seeking modification of the order dated 15.09.2022.

3. Considering the grounds taken in the application itself and after hearing learned counsel for the parties, the order dated 15.09.2022 is hereby recalled and fresh order is passed today in CONTC (CPC) No. 678 of 2012 in separate sheet.

4. I.A. stands disposed of.

(DR. B.R. SARANGI)
JUDGE

P.T.O.

ORDER
16.01.2023

CONTC (CPC) No. 678 of 2012

Order No.
05.

This matter is taken up through hybrid mode.

2. The petitioner has filed this application against non-compliance of the order dated 18.05.2012 passed by the Odisha Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No. 2674 of 1997.
3. Learned counsel for the petitioner states that since the order dated 18.05.2012 passed in O.A. No. 2674 of 1997 has not been complied with, the petitioner filed C.P. No. 678 of 2012 and on abolition of the tribunal, the matter was transferred to this Court and renumbered as CONTC (CPC) No. 678 of 2012.
4. Mr. S. Jena, learned Standing Counsel appearing for the School and Mass Education Department contended that against the order dated 18.05.2012 passed by the tribunal in O.A. No. 2674 of 1997, State and its functionaries filed W.P.(C) No. 20232 of 2015, which was disposed of on 21.03.2012. Therefore, the order passed by the tribunal on 18.05.2022 has to be complied with. But on the basis of submission made by the petitioner that the petitioner has been continuing in service and the benefits have already been extended to him and, as such, he has no other grievance, the writ petition preferred by the State has been disposed of.
5. In the above view of the matter, the contempt proceeding is hereby dropped in view of the order dated 21.03.2022 passed in W.P.(C) No. 20232 of 2015.

(DR. B.R. SARANGI)
JUDGE

Ashok