

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CONTC No. 6668 of 2021**

**Ajit Kumar Behera**

....

***Petitioner***

None

*-versus-*

**Sanjay Singh, IAS**

....

***Opposite Party***

Mr. M.K.Panda along with Mr. Niranjana Panda, Advocate

**CORAM:  
JUSTICE JASWANT SINGH  
JUSTICE M.S.SAHOO**

**ORDER**

**Order No.**

**28.11.2022**

*Hybrid Mode*

- 02.** 1. Learned counsel for the opposite party refers to the show-cause/compliance affidavit dated 28.11.2022 filed by the incumbent-Commissioner, Bhubaneswar Municipal Corporation to submit that the order passed by this Court dated 29.01.2020 disposing of W.P.(C) No.2144 of 2020 has been complied with.

In Paragraphs-4 & 5 of the said compliance affidavit dated 28.11.2022 indicating compliance of the Court's order, the following has been stated :

*"4. That in reply to the averments made in Para-6 of the contempt petition it is humbly submitted that even after issuing notice properly on dtd. 23.11.2022, the petitioner did not turn up. The hearing of the grievance petition has been duly disposed of on the basis of materials on record. The deponent i.e. the Opp. Party No.3 to the writ petition has disposed of the grievance petition vide Order No. 55274 dtd. 25.11.2022 and thus the direction of this Hon'ble Court has already been complied with.*

*A copy of notice to the petitioner dtd. 23.11.2022 is made Annexure-A.*

*A copy of the order of BMC dtd. 25.11.2022 is made Annexure-B.*

*5. That it humbly submitted that during field inquiry and verification, it was found by the BMC that averments made in the writ petition is false, fabricated and not based on correct documentary evidences. In the writ petition the petitioner has submitted that he has been doing business in Market Building area but in reality the petitioner is doing business at Quarter No. VA-3/4 of Unit-II area. The petitioner also doesn't have any evidence to show that he has been carrying out business since last 40 years except the trade license receipt of temporary mobile vendor for the year 2016-17. He is presently continuing his business at Qr. No. VA-3/4 and no eviction drive has been taken up against him by the BMC. In view of facts mentioned above, the allegations in writ petition are baseless and hence the grievance petition of the petitioner for rehabilitation has been rejected."*

**2.** None appears for the petitioner to refute the aforesaid contention of the opposite party regarding compliance of the order passed by this Court.

**3.** In our considered opinion, in view of the statement made in the affidavit filed by the opposite party, it has to be held that the order passed by this Court has been complied with.

Accordingly, the contempt petition is dismissed having been rendered infructuous.

**(Jaswant Singh)**  
**Judge**

**(M.S.Sahoo)**  
**Judge**

November 28<sup>th</sup>, 2022  
Cuttack

dutta