

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.7913 of 2021

B. Gopal

....

Petitioner

Mr. Sidharth Prasad Das, Advocate

-versus-

***Ranjana Chopra, I.A.S., Principal
Secretary, ST & SC Development,
Minorities & Backward Classes
Welfare Department, Odisha,
Bhubaneswar***

....

Opposite Party

Mr. Manoj Kumar Khuntia,
Additional Government Advocate

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

ORDER (Oral)

11.07.2022

Order No.

01.

1. This matter is taken up through virtual/physical mode.
2. The prayer made in W.P.(C) No.2753 of 2016 was for taking effective steps to include the caste 'BARIKI' in the list of Scheduled Caste and Scheduled Tribe under the Constitution (Scheduled Caste) Order, 1950.
3. At the time of hearing, counsel for the Petitioner very fairly concedes that the direction for such consideration had to be issued, if at all to the National Commission for Scheduled Caste/Scheduled Tribe, however, inadvertently in the order dated 18th November, 2019 passed by this Court such direction came about to be passed to the Commissioner-cum-Secretary to Government in S.C. & S.T. Development Department, Odisha, Bhubaneswar. It is, thus, fairly conceded that the present contempt petition would not be maintainable as it cannot be construed there is a willful disobedience.

4. In view of the above, counsel for the Petitioner prays for permission to withdraw the present contempt petition to enable the Petitioner to seek his remedy in accordance with law.

5. Accordingly, this CONTC is dismissed as withdrawn with the aforesaid liberty.

Issue urgent certified copy as per rules.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Jyostna July 11th, 2022
Cuttack

