

(2023) 05 OHC CK 0155
In the Orissa High Court
Case No : CONTC No.1377 Of 2019

Dr.Biswanath Suar

APPELLANT

Vs

Saswat Mishra And Another

RESPONDENT

Date of Decision : 10-05-2023

Acts Referred:

Citation : (2023) 05 OHC CK 0155

Hon'ble Judges : Sashikanta Mishra, J

Bench : Single Bench

Advocate : A.K.Mohanty, B.P.Tripathy

Judgement

Sashikanta Mishra, J

1. This matter is taken up through virtual mode.
2. An affidavit has been filed in Court today by the Joint Secretary, Higher Education Department, inter alia, stating that day to day monitoring is being carried out thereby liaising with Regional Director of Education, Balasore and Principal, Bhadrak Women's College, Bhadrak and to have a better and effective monitoring of compliance of orders of this Court, instructions have been issued vide letter dated 8th May, 2023 to the aforementioned Officers. It has been further stated that four weeks time is required to complete the entire process.
3. The stand taken by the Department is not acceptable, to say the least, inasmuch as the judgment of this Court in the Writ Petition was passed way back on 26th June, 2018. Numerous opportunities have been afforded to the Department to comply with the order, which sadly has not received the importance it should. It is made clear that part compliance is no compliance in the eye of law. What the authorities appear to be doing in the present case is, that different pleas are taken to somehow justify non-implementation of the Judgment of this Court by filing affidavits one after the other. It is made clear that it would be a travesty of justice and mockery of the rule of law to allow things to continue in this manner. This Court therefore, grants as a last chance,

time till tomorrow to comply with the judgment of this Court fully.

4. Let the Principal Secretary to the Government in Higher Education Department appear in person before this Court tomorrow at 2.00 P.M. and file an affidavit reflecting that the entire order has been complied with in letter and spirit.

5. List this matter tomorrow (11th May, 2023) at 2.00 P.M.

6. A free copy of this order be supplied to Shri B.P.Tripathy, learned Addl. Government Advocate.

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