

(2026) 01 OHC CK 1760
In the Orissa High Court
Case No : Writ Petition (C) No. 4 Of 2026

Minarva Dash

APPELLANT

Vs

Collector, Angul & Others

RESPONDENT

Date of Decision : 08-01-2026

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2026) 01 OHC CK 1760

Hon'ble Judges : Ananda Chandra Behera, J

Bench : Single Bench

Advocate : Arijeet Mishra, G. Mohanty

Final Decision : Disposed Of

Judgement

Ananda Chandra Behera, J

1. This writ petition under Articles 226 and 227 of the Constitution of India, 1950 has been filed by the petitioner praying for directing the Tahasildar, Banarpal (Opp. Party No.2) to carry out (implement) the order dated 28.05.2025 passed in Misc. Case No.72/2024 by the Collector & District Magistrate, Angul (Opp. Party No.1).

2. Heard from the learned Counsel for the petitioner and the learned Standing Counsel for the State.

3. The law relating to the scope of interference of the High Court in the matter of non-implementation of the directions of the superior officers of the Government to their sub-ordinate officers has already been clarified in the ratio of the following decision of the Apex Court.

In a case between Jayamma & Others Vrs. Deputy Commissioner, Hassan, Dist., Hassan & Others (Para No.10) reported in III (2013) CLT 94 (SC) that, if a subordinate authority in the Government does not act in terms of the directions or instructions issued by the superior officers, it is not for the High Court to

compel that subordinate authority to comply with the instructions or directions issued by the superior authority of the Government. Because, High Court is not the executing forum of instructions issued by the higher authorities of the Government. It is the duty of the superior officer of the Government (who had directed to the sub-ordinate officer) to see that, his order is properly implemented, but not the High Court to implement such direction.

4. So, by applying the propositions of law enunciated in the ratio of the above decision of the Apex Court to this matter at hand, it is felt proper to dispose of this writ petition finally giving liberty to the petitioner to approach the Collector & District Magistrate, Angul (Opp. Party No.1) by filing an application annexing the certified copy of this Judgment praying for the implementation of the order dated 28.05.2025 passed in Misc. Case No.72/2024 by the said Opp. Party No.1 and in case of non-response to the same by the Opp. Party No.1, the petitioner can approach this Court seeking appropriate relief for the same.

5. As such, this writ petition filed by the petitioner is disposed of finally.