
(2023) 08 OHC CK 0170
In the Orissa High Court
Case No : CONTC No.2249 Of 2021

Sukanta Kumar Behera & Anr

APPELLANT

Vs

Dr. Sujata Mishra, C.D.M.O., Puri

RESPONDENT

Date of Decision : 25-08-2023

Acts Referred:

Citation : (2023) 08 OHC CK 0170

Hon'ble Judges : S.K. Mishra, J

Bench : Single Bench

Advocate : S. C. Rath, G.N. Rout

Final Decision : Disposed Of

Judgement

S.K.Mishra, J

1. This matter is taken up through hybrid mode.
2. Mr. S. C. Rath, learned Counsel for the Petitioners appears through virtual mode and draws attention of this Court to the interim order dated 16.11.2019 passed by the coordinate Bench in W.P.(C) No.21917 of 2019. Mr. Rath submits, though as an interim measure, it was ordered that in the event the Petitioners are still continuing, they may not be disengaged till the next date with further direction to release the admitted dues of the Petitioners within a time framed, but till date the Petitioners have not been paid their salary since 01.05.2019.
3. He further submits, despite direction in CONTC No.5027 of 2020, which was disposed of at the stage of admission on 15.01.2021, the said direction given by the coordinate Bench in I.A. No.15641 of 2019 (arising out of W.P.(C) No.21917 of 2019) is yet to be complied with by the Opposite Party/Contemnor.
4. In response to the said submission of Mr. Rath, Mr. Rout, learned ASC for the State, who has instruction to represent the present Opposite Party/Contemnor, draws attention of this Court to the averments made in I.A. No.15760 of 2021 filed in W.P.(C) No.21917 of 2019, vide which a prayer has been made for

vacation of interim order dated 16.11.2019 and submits, at present the Petitioners are working under Nirmal Scheme, which is in operation since July, 2020, in order to facilitate the regular payment in their favour.

5. He further submits, apprehension with respect to bringing the Petitioners over to the Nirmala Scheme shall amount to violation of order of this Court is unfounded.

6. Mr. Rath, learned Counsel for the Petitioners submits, such statement made by Mr. Rout is incorrect. As per the instruction receive from his clients, they have not been paid their salary/dues since 01.05.2019.

7. In view of such submission made by the learned Counsel for the parties, this Court directs the Opposite Party/ Contemnor to file an Affidavit by 11.09.2023 indicating therein as to present working status of the Petitioners and details of the payments made to them, including the period for which such payments were made, after serving copy of the same on learned Counsel for the Petitioners.

8. Matter be listed on 15th September, 2023.

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