

ITEM NO.13

COURT NO.5

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 25160/2024

(Arising out of impugned final judgment and order dated 19-10-2023
in WA No. 849/2021 passed by the High Court Of Orissa At Cuttack)

ENGINEER-IN-CHIEF

Petitioner(s)

VERSUS

RAMESH CHANDRA NAYAK & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.150795/2024-CONDONATION OF DELAY
IN FILING and IA No.150794/2024-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No.150796/2024-PERMISSION TO FILE
ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 22-07-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Dhananjaya Mishra, AOR
Mr. Nikhil Bhatia, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

2. Heard Mr. Dhananjaya Mishra, learned counsel, appearing
for the petitioner.

3. The counsel submits that the Single Judge while granting
relief to the respondent No.1 with direction to consider him
for regularization also ordered for sanctioning a post for the
said purpose. It is contended that such direction for creation
of post, could not have been issued by the Writ Court. However
the Writ Appeal filed by the State before the Division Bench

was not entertained on the ground of delay, by the impugned order.

4. The counsel submits that the delay should have been condoned by the Division Bench as it was during Covid period and the State's appeal should have been considered on merit.

5. Issue notice, returnable in four weeks.

(DEEPAK JOSHI)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR