



ANNUAL REPORT 2023





ଓଡ଼ିଶା ଗଜ ନିବାସ

A22





ANNUAL REPORT

2023

Committee for the preparation of the Annual Report

Chairman	Justice K.R. Mohapatra
Members	Justice B. P. Routray Justice Sashikanta Mishra Justice Chittaranjan Dash

Sub- Committee for the collection, collation and synchronization of data

Sudipta Acharya
Member Secretary, O.S.L.S.A

Pravakar Ganthia
Registrar (Inspection)

Suman Kumar Mishra
Registrar (Judicial)

Ashish Kumar Sahoo
Special Officer (Special Cell)

Biswajit Nayak
Additional Coordinator, Arbitration Centre

Sub-Committee for editing, designing and printing

Bidyut Kumar Mishra,
Director, Odisha Judicial Academy

Satyabrata Mishra,
Coordinator, Arbitration Centre

Hara Prasad Padhy,
Registrar (Records)

Soumya Sourav,
Central Project Coordinator

Sibasish Giri,
Deputy Registrar (Records)

Photography, layouting & printing

DIGANTA
Bhubaneswar

For official use only

Content

From the desk of the Chief Justice

Introduction



The High Court

High Court of Orissa- At a glance	3
Judges	7
Case Statistics of the High Court	11
Administrative Committees	15
Registry	41
Infrastructure	53
ICT Initiatives	61
Activities	87
75 th Year Celebrations	95
Accounts	106



Allied Organs

Odisha State Legal Services Authority	109
Odisha Judicial Academy	135
Centre for Judicial Archives and Museum of Justice	145



Law Officers and the Bar

Office of the Advocate General	159
Office of the Deputy Solicitor General of India for the High Court of Orissa	163
High Court Bar Association	167



The District Courts

Case Statistics of the District Courts

175

District Judges' Conference, 2023

179

Districts

184



Significant Judgments

305



Publications

403



Introspection

413

Appendices

419

List of Appendices

A	Detailed Case Statistics of the High Court for the year 2023	421
B	New Court buildings constructed at the District headquarters and outlying stations	427
C	New residential quarters constructed at the District headquarters and outlying stations	429
D	Ongoing residential and non-residential projects of the District Judiciary, wherein foundation stone laid by the Court	429
E	Recommendations of Rules Committee	439
F	Promotion of employees of various cadres in the High Court from 01.01.2023 to 31.12.2023	442
G	No. of employees recruited in the year 2023 (from 01.01.2023 to 31.12.2023)	443
H	Posts created in 2023 by the State government	444
I	Sanctioned strength, working strength and vacancy position of the Ministerial Officers and staff	445
J	Budgetary allocation and expenditure of the High Court	452
K	Case statistics of the District Courts for 2023	453

Highlights

2,813 judgments delivered by the High Court in 2023 compared to 2,168 in 2022. 1,44,103 judgments delivered by the District Courts in 2023 compared to 1,61,263 in 2022



Inauguration of refurbished Museum of Justice



Opening of e-Libraries for lawyers in 24 outlying stations of the State



1,19,544 cases disposed of by the High Court in 2023 compared to 1,36,599 cases in 2022- a decrease of 12.49 %. Case clearance rate decreased to 112.11% from 130.94% in 2022. 4,26,422 cases disposed of by the District Courts in 2023 compared to 5,15,392 cases in 2022-a decrease of 17.26%. Case clearance rate decreased to 90.03% from 93.21% in 2022.





Launch of National Service and Tracking of Electronic Processes (NSTEP) in all 30 districts of the State.



Establishment of 212 paperless Courts in the districts



Establishment of 5 regional Judicial Academies



Establishment of 30 virtual centres of the High Court across 29 districts



Inauguration of Digital Reference Library in the Hon'ble High Court



Wooden Carving of National Emblem in Chief Justice's Court

From the Desk of the Chief Justice



This is the third consecutive Orissa High Court's Annual Report that encapsulates the diligent efforts, notable achievements and significant developments that have shaped our judicial landscape over the past year. 2021 was a year of both challenges and opportunities when the functioning of the Courts in Orissa was restricted on account of resurgence of COVID-19 Pandemic. 2022 was a year of revival and resurgence after two years of COVID-19 Pandemic. The High Court of Orissa emerged as a beacon of resilience, adaptability and innovation transforming adversities into opportunities. Through strategic initiatives, pro-active measures and forward thinking solutions, the Orissa High Court not only mitigated the impact of Pandemic, but also expanded its pursuit of judicial excellence and service delivery to the citizens of Odisha by effective and strategic use of ICT infrastructures that were developed and procured to meet COVID-19 Pandemic challenges.

In 2023, the Orissa High Court continued its unwavering commitment to upholding the Rule of Law, ensuring access to justice and fostering judicial excellence. Through the

collective dedication of our esteemed Judges, diligent staff and valued stakeholders, we made commendable progress in the disposal of cases, the adoption of technology driven solution and the promotion of legal awareness and education. The implementation of initiatives, such as e-filing, Virtual Court proceedings and online case tracking not only enhanced the efficiency and transparency of our judicial processes but has also paved the way for more accessible and citizen centric legal system. These advancements underscore our commitment to adapting to evolving needs of our constituents and embracing innovation in the delivery of justice.

Furthermore, our efforts in promoting legal literacy, conducting outreach programs and fostering partnerships with the legal institutions and civil society organizations have contributed to fostering culture of legal awareness and empowerment within our communities. By engaging with the stakeholders and enhancing public participation in the legal system, we have endeavoured to strengthen the foundation of justice and uphold the principles of fairness and equality before law.

In the year 2023, 30 facilitation centres with robust infrastructure across 29 Districts for online High Court proceedings were established. Further, 212 Paperless Courts in various districts and 5 Regional Judicial Academies were established. A Digital Reference Library in the High Court was inaugurated this year. A refurbished Museum of Justice was also inaugurated. E-libraries in 24 outlying stations of the State were opened. National Service and Tracking of Electronic Processes (NSTEP) in all 30 districts of the State was launched. In 2023, the High Court delivered 2813 judgments as compared to 2168 in 2022. The District Courts delivered 1,44,103 judgments, showing a slight decline as compared to the previous year i.e. 2022. The High Court disposed of 1,19,544 cases in 2023 as compared to 1,36,599 in 2022, a decrease of 12.49%. 2023 also witnessed decrease in Case Clearance Rate to 112.11% from 130.94% in 2022.

The Orissa State Legal Services Authority and the Orissa Judicial Academy made remarkable achievements in the fields of legal aid, legal awareness, legal education, training and capacity building initiatives throughout the year 2023.

As I reflect on the accomplishments and challenges of the past year, I congratulate each member of the Orissa High Court family for the dedication, professionalism and unwavering commitment with which they worked in 2023.

Together we have demonstrated our shared commitment to excellence and integrity in the pursuit of justice for all.

I am confident that the publication of this Annual Report will serve as a testament to our collective achievements and inspire us to continue striving for excellence in the service of justice. Let us remain steadfast in our resolve to uphold the Rule of Law, protect the rights of all citizens and ensure equal access to justice for every individual in our society.

Cuttack

1st June, 2024

Chakradhari Sharan Singh

Chief Justice



INTRODUCTION



Welcome statue at the entrance of New Building

Introduction



*(L-R) : Justice Sashikanta Mishra, Justice K.R. Mohapatra (Chairman), Justice B.P. Routray and Justice C.R. Dash
Committee for the preparation of the Annual Report, 2023*

This is the third Annual Report published in succession. The first of it was brought out in the year 2021, in the backdrop of Covid-19 Pandemic. It was well received in several quarters as an honest yet modest attempt to highlight the attainments and shortcomings of the justice delivery system in the state. 2022 was a year of consolidation besides witnessing the commencement of the celebrations for the completion of 75 years of the establishment of the High Court. Besides witnessing greater disposal of cases the year also saw substantial enhancement of the use of technology in justice dispensation with paperless courts, e-filing, e-payment of court fees, e-LCRs, digitization of old and current records, archiving of fragile records etc being

the highlights. The past year (2023) saw even more innovative concepts being introduced besides a continued thrust on development of judicial infrastructure. The case disposal was also more than satisfactory.

Needless to say, the introspective exercise has provided impetus to focus on the shortcomings and to strive harder than before to achieve newer heights.

Like the previous years, this is an attempt to highlight and showcase all that has happened in the past year. The case pendency and disposal figures, work of the different administrative committees, statistics and achievements of each district, work of the allied organs like Judicial Academy and Legal Services Authority,

e-initiatives, digitization and archiving followed by a narration on the achievements, failures and future plans etc have been showcased in a manner to make the report comprehensive and holistic. Moreover, the past year saw the culmination of the year-long celebrations for the completion of 75 years of the High Court that was marked with several important events including the visit of Her Excellency the President of India to the High Court.

It gives us satisfaction to note that the previous reports have been welcomed as honest attempts by the High Court to present to the ordinary citizen the information he may desire to have about this important pillar of democracy. We lay a modest claim that the High Court stands committed to discharge its solemn Constitutional duty of dispensing

justice to all citizens of this country in the most effective manner.

We wish to thank the Hon'ble Judges of the High Court for their cooperation and support and the District Judges and other officers of the district judiciary for their prompt response in submitting the necessary data, information, material etc.

The Committee wishes to place on record its appreciation for the efforts put in by the officers of the Registry associated with publication of the Annual Report as also to the designer and publisher, M/s Diganta, Bhubaneswar for the painstaking efforts.

We hope and trust, this Annual Report shall be received positively in all quarters.

Chairman and Members

Committee for Preparation of Annual Report



Nabagunjara Pattachitra displayed at Judges' Lounge

CHAPTER



THE HIGH COURT



The High Court of Orissa - At a glance



The illuminated High Court building on the Foundation Day; 26th July, 2022

Odisha was annexed by the East India Company in 1803. By Regulations IV & V of 1793 the Criminal and Civil Laws applicable to the province of Bengal were extended to Odisha (then known as province of Cuttack) in 1806 then comprised of the present districts of Puri, Cuttack and Balasore. The laws framed under the aegis of the East India Company for Bengal were similarly extended to Odisha from time to time. With the establishment of the High Court of Judicature at Fort William in Calcutta, Odisha came under its jurisdiction. A new province, Bihar and Odisha was created in 1912 but the jurisdiction of the Calcutta High Court continued over the new province. The situation continued till 1916 when Patna High Court was established with Odisha coming under its

jurisdiction. As ordained in its letter patent, a Circuit Court of Patna High Court for Odisha started functioning at Cuttack from 18 May 1916 exercising jurisdiction over four districts namely, Puri, Cuttack, Balasore and Angul. The separate province of Odisha was created on 1 April 1936 with addition of districts of Ganjam, Koraput and Sambalpur. Two District Judges functioned, one exercising jurisdiction over Puri, Ganjam and Koraput and the other, over Cuttack, Balasore and Sambalpur. The demand for a separate High Court grew over time. A Committee was constituted by the Government to look into the feasibility of the proposal that gave its report in 1943 suggesting setting up of a separate High Court. However, it took another five years for the suggestion

to bear fruition as the High Court of Orissa was established on 26 July 1948.

The High Court started with a four Judges including the Chief Justice. Today it has Bench strength of 33 with actual strength of 20 judges. From a total pendency (civil and criminal) of 7057 cases at the time of its establishment, the High Court presently has a total pendency of 255979 cases (civil and criminal).

Beginning with only two District Judges in respect of six districts, presently, Odisha has thirty District Judges for all thirty districts. The district judiciary has also expanded over the years starting from 10 District Judge cadre officers, 11 Subordinate Judges and 36 Munsifs in 1948, the number has grown steadily over the years to 243 District Judge cadre officers, 284 Civil Judge (Sr. Divn.) Cadre officers (erstwhile Subordinate Judge) and 466 Civil Judge (Jr. Divn.) cadre officers (erstwhile Munsif) at present.

The High Court started functioning from the existing Civil Court premises from 26th July 1948, where the Circuit Court also used to function. Gradually with the increase in

number of Judges and advocates as also the support staff, need was felt for a bigger building. Accordingly, a bigger building was constructed adjacent to the old one being inaugurated on 11th November 2012. The new building, made functional from 2nd January 2014 is an eight-storied structure with a carpet area of 1.68 lakh square meters and houses 23 Court rooms besides chambers of the Chief Justice and puisne Judges, Judges' Lounge, Senior Advocates' lounge, Advocate General's chamber, Video Conferencing Hall etc. To meet the ever-growing need for office space a new Administrative Block and an Annexe Building have been constructed. The old building, declared as a heritage structure, continues to function as before.

The High Court completed 75 years of its existence on 26th July 2023. A year-long program was organized in commemoration.

The High Court as well the district judiciary has seen exponential growth in terms of pendency and disposal of cases and judicial infrastructure. As such, it remains committed to its goal of delivering justice to the citizens.



Baliyatra pattachitra displayed at Judges' Lounge



Chief Justice and Judges of the High Court of Orissa

Sitting from left to right- Justice M.S. Sahoo, Dr. Justice S.K. Panigrahi, Justice K.R. Mohapatra, Justice D. Dash, Dr. Justice B.R. Sarangi, Justice C.S. Singh, Chief Justice, Justice Arindam Sinha, Justice S.K. Sahoo, Justice B.P. Routray, Justice Savitri Ratho and Justice R.K. Pattanaik.

Standing from left to right - Justice A.C. Behera, Justice Chittaranjan Dash, Justice G. Satapathy, Justice S.S. Mishra, Justice Sashikanta Mishra, Justice V. Narasingh, Justice B.P. Satapathy, Justice S.K. Mishra, Justice A.K. Mohapatra and Justice M.S. Raman



Judges

The High Court of Orissa has a sanctioned strength of 33. In the beginning of 2023, the working strength of the Court was 22. On transfer of Justice Jaswant Singh on 15th February, 2023 as Chief Justice of Tripura High Court, the working strength stood at 21. On

superannuation of Dr. Justice S. Muralidhar on 7th August 2023, the senior most Judge, Justice Subasish Talapatra took oath as 33rd Chief Justice of the High Court of Orissa on 8th August, 2023 and the working strength came down to 20.



Dr. Justice S. Muralidhar



Justice S. Talapatra



Justice Jaswant Singh



Justice Biswanath Rath

On 5th September, 2023 the working strength rose to 22 with the swearing in of Justice Sibho Sankar Mishra and Justice Ananda Chandra Behera on their elevation from bar and cadre of District Judge respectively. Again with the retirement of Justice Biswanath Rath on 6th September, 2023 the working strength came down to 21.

On 3rd October 2023 Justice Talapatra retired and Dr. Justice Bidyut Ranjan Sarangi became the Acting Chief Justice and thus the working strength remained 20 till the end of 2023. On 7th February, 2024 Justice Chakradhari Sharan Singh assumed the office of Chief Justice and the working strength rose to 21.



Justice Subasish Talapatra being sworn in as Chief Justice on 8th August, 2023



Justice Sibbo Sankar Mishra and Justice Ananda Chandra Behera being sworn in on 5th September, 2023



Justice Chakradhari Sharan Singh being sworn in as Chief Justice on 7th February, 2024

Justice Sanjaya Kumar Mishra, who was elevated from the cadre of District Judge as Judge of the High Court of Orissa and

transferred from the High Court in 2021, retired on 28th December, 2023 as Chief Justice of the High Court of Jharkhand.



Justice Sanjaya Kumar Mishra



Heritage Building of the Court

Case Statistics of the High Court

The High Court of Orissa continued the previous year practice of uploading the case statistics on a monthly basis on the official website with an avowed objective of placing the performance of state judiciary in the Public Domain. The case statistics has been prepared in a simplified manner to inculcate all possible parameters in minute details including pendency, institution vis-à-vis disposal statistics, time devoted to judicial work including loss of Judicial hours due to references held on account of sad demise of Advocates and Judges, Judges on leave, administrative duties, training, etc. Further, the case statistics reveals the Case Clearance Rate (CCR) which provides the rate at which the cases are disposed of taking into account the institution of the cases for a given period. The working hours for a given period has been computed taking into account the number of hours required to be devoted in a working day multiplied by the working strength of the judges and the number of working days during the period. At times, it may be noticed that there is minor discrepancy in the statistics in respect of closing balance of a period and the opening balance of the succeeding period. Such marginal discrepancy occurs due to subsequent updation of disposal and restoration of some cases in the Case Information System (CIS). In order to analyze the rate of disposal in comparison with

the previous year, a detail comparative analysis chart has also been prepared and uploaded as part of the case statistics to provide various parameters for a deeper insight and analysis of the progress of disposal.

The statistics is based on the information available in Case Information System (CIS) developed by the e-Committee, Hon'ble Supreme Court of India for the High Courts. The decision to upload the case statistics on the website is to make the stakeholders aware of the functioning of the State judiciary and to lay a foundation for better understanding of the institution from a common man's perspective by inviting inclusiveness and participation. The format of the case statistics have been simplified as far as possible for better appreciation of data analysis. The different information provided in the case statistics has been tailor made considering the requirement of different stakeholder to have better appreciation of the real time performance and functioning of the Courts. Both positives and loopholes have been highlighted in a scrupulous manner with a quest to improve the performance even better in future.

Institution, disposal and pendency of different types of civil and criminal cases in the High Court are indicated below.



Types of Cases	Pendency as on 1 st January 2023	Institution from 1 st January 2023 to 31 st December 2023	Disposal from 1 st January 2023 to 31 st December 2023	Pendency as on 31 st December 2023
Civil Matters				
Writ Petitions	72048	43358	51785	63621
Company Matters	230	6	5	231
Contempt (Civil)	9191	10915	10123	9983
Review (Civil)	2260	504	407	2357
Matrimonial Matters	1025	463	204	1284
Arbitration Matters	267	119	122	264
Civil Revisions	203	43	23	223
Tax Matters (Direct & Indirect)	976	130	316	790
Civil Appeals	13640	1226	1900	12966
Land Acquisition Matters	937	68	160	845
MACT Matters	5654	1318	1325	5647
Civil Suits (Original side)	2			2
Other than above	11419	6727	7365	10781
Total (Civil)	117852	64877	73735	108994

Types of Cases	Pendency as on 1 st January 2023	Institution from 1 st January 2023 to 31 st December 2023	Disposal from 1 st January 2023 to 31 st December 2023	Pendency as on 31 st December 2023
Criminal Matters				
Writ Petitions	1367	2779	2844	1302
Criminal Revisions	9852	703	508	10047
Bail Applications	6575	30259	31338	5496
Criminal Appeals	13390	1597	1328	13659
Death Sentence Reference	4	2		6
Contempt Criminal	269	69	18	320
Misc. Criminal Applications	7968	5598	9021	4545
Other than above	2623	745	752	2616
Total (Criminal)	42048	41752	45809	37991
(Civil + Criminal)	159900	106629	119544	146985

The detailed case statistics of the High Court along with relevant information for 2023 are available on the website and given at **Appendix-A**.

The Case statistics uploaded in the High Court of Orissa throws light on the following parameters:

1. Institution, disposal and the case clearance rate at a glance

The opening balance at the beginning of the year of 2023 was 1,64,771, while the closing balance at the end of the year came down to 1,46,985. Total institution during the year was 1,06,629 and the disposal was 1,19,544 cases at a Case Clearance Rate of 112.11%. The disposal of cases had surpassed the institution in all the months of the year except June, August, September and December. There were lesser number of working days in the month of June and December due to summer vacation and winter holidays of the Court respectively for which the disposal is relatively less in comparison to other months though there was filing of fresh cases during the vacation. There has been steady disposal in all the months with the highest case clearance rate being in the month of January at the rate of 159.96%.

2. Judges' working strength and loss of working hours

The judge's strength was highest in the month of January at 22 and hovered around 21 and 20 throughout the year. However, the judges' strength remained 20 at the end of the year. While 22371.6 hours were devoted towards judicial working of the High Court in the year 2023, 2009.325 working hours were lost on

account of various reason like absence of judges due to leave, training and administrative duties, references held due to demise of Advocates/ Judges and farewell to judges. As such there was no loss of working hours due to cease work by the Bar as experienced in previous years. Further, references on account of demise of Advocates/Judges were held only once in the month at 3.05 PM thereby significantly cutting down the loss of working hours due to references. It is apt to reflect here that the loss of judicial working hours has considerably gone down in the year 2023 in comparison to the previous year.

3. Comparative analysis of 2022 and 2023

In 2022, 1,36,599 cases were disposed of which came down to 1,19,544 cases in the year 2023. There has been a decrease of 12.49% in disposal in 2023 as compared to the disposal in 2022. The rate of decrease has been calculated taking into account the disposal of 2023 deducted by the disposal of 2022, divided by the disposal of 2022, multiplied by 100. There has been considerable increase in delivery of judgments in the year 2023 as compared to 2022. While 2168 judgments were delivered in 2022, 2813 judgments were delivered in 2023.

Out of the 1,19,544 cases disposed of in 2023, 357 cases were more than 30 years old, 410 cases were 20-30 years old and 3871 cases were 10-20 years old. Further, 98763 cases were disposed of in Single Benches, 20780 cases in Division Benches and 01 case in Larger Benches.

The age wise disposal of cases in Single Benches, Division Benches and Larger Benches is indicated below:



Bench Type (SB, DB, LB)	Less than 1 year	1-2 years	2-5 years	5-10 years	10-15 years	15-20 years	20-30 years	More than 30 years	Total
Disposal in Single Bench	76750	7250	6325	4972	2307	456	351	352	98763
Disposal in Division Bench	10833	1647	3105	4023	888	220	59	5	20780
Disposal in Larger Bench	0	0	1	0	0	0	0	0	1
Total Disposal	87583	8897	9431	8995	3195	676	410	357	1,19,544

The institution and disposal statistics of the High Court for the last 5 years are indicated below for a comparative analysis.

Year	Institution	Disposal	Comparative rate of increase in disposal with previous year (%)	Case Clearance Rate (%) (Disposal vis-à-vis institution)
2019	81,121	93,224	+47.42	114.91
2020	83,499	61,335	-34.20	73.45
2021	1,28,786	1,05,182	+71.48	81.67
2022	1,04,321	1,36,599	+29.86	130.94
2023	1,06,629	1,19,544	-12.49	112.11



Pattachitra of Chariot Festival at Puri famously known as "Rath Yatra" displayed at Judges' Lounge



Administrative Committees

The Chief Justice of the High Court has constituted 30 committees to deal with the administrative work of the High Court. A summary of the work done by each of the committees is given below.

1. Standing Committee

Chairman

The Chief Justice

Members

Dr. Justice B.R. Sarangi, Justice Arindam Sinha, Justice D. Dash, Justice S.K. Sahoo, Justice K.R. Mohapatra, Justice B.P. Routray

During 2023, Dr. Justice S. Muralidhar, former Chief Justice was the Chairman of this Committee till 07th August, 2023. Justice S. Talapatra was member of the Committee till 7th August, 2023 and remained Chairman of the Committee as the Chief Justice from 8th August, 2023 to 3rd October, 2023. Dr. Justice B.R. Sarangi was Chairman of the Committee as the Acting Chief Justice from 10th October, 2023 for the remaining part of the year.

Justice Jaswant Singh was a member of the Committee till 14th February, 2023. Justice B. Rath was a member of the Committee till 06th September, 2023. Dr. Justice S.K. Panigrahi

was the member of the Committee from 10th October, 2023 for the remaining part of the year. In the meantime, the Committee has been reconstituted with effect from 15th February, 2024.

The Standing Committee deals with all service-related matters like promotion, transfer, disciplinary matters etc. and so on of Judicial Officers belonging to the cadres of Civil Judge (Jr. Divn.) and Civil Judge (Sr. Divn.). In 2023, 27 officers from the cadre of Civil Judge (Jr. Divn.) were promoted to the cadre of Civil Judge (Sr. Divn.) on the recommendation of this Committee.

2. Review Committee

Chairman

Dr. Justice B.R. Sarangi

Members

Justice Arindam Sinha, Justice D. Dash, Justice S.K. Sahoo, Justice K.R. Mohapatra, Justice B.P. Routray, Dr. Justice S.K. Panigrahi

During 2023, Dr. Justice S. Muralidhar, former Chief Justice was the Chairman of this

Committee till 07th August, 2023. Justice S. Talapatra was member of the Committee till



7th August, 2023 and remained Chairman of the Committee as the Chief Justice from 8th August, 2023 to 3rd October, 2023.

Justice Jaswant Singh was a member of the Committee till 14th February, 2023. Justice B. Rath was a member of the Committee till 06th September, 2023.

The Review Committee reviews the performance of judicial officers immediately prior to their completing the ages of 50 years, 55 years and 58 years. The Committee recommends

whether they should continue in service beyond those ages. In the process, the Committee may even recommend, for the reasons to be recorded, compulsory retirement of officers found inefficient or of doubtful integrity.

In 2023, the performance of 41 officers was reviewed by the Review Committee. While 39 officers in all were found suitable to be continued beyond 50 years, 55 years and 58 years, 2 officers were recommended to be compulsorily retired.

3. Permanent Committee for the designation of Advocates as Senior Advocates

Chairman

The Chief Justice

Members

Dr. Justice B.R. Sarangi, Justice Arindam Sinha, Advocate General, Odisha,
Mr. S.P. Mishra, Sr. Advocate

During 2023, Justice Jaswant Singh was the member of the Committee till 14th February, 2023. Justice S. Talapatra was member of the Committee till 7th August, 2023 and remained Chairman of the Committee as the Chief Justice from 8th August, 2023 to 3rd October, 2023. Dr. Justice B.R. Sarangi was Chairman of the Committee as the Acting Chief Justice from 10th October, 2023 for the remaining part of the year. Justice D. Dash was the member of the Committee from 10th October, 2023 for the remaining part of the year. In the meantime,

the Committee has been reconstituted with effect from 15th February, 2024.

This Committee examines the applications received from advocates and makes recommendations as per the Orissa High Court (Designation of Senior Advocates) Rules, 2019.

During 2023, the Committee examined 17 applications and made recommendations. 05 Advocates were designated as Senior Advocates on 27th June, 2023 on the recommendation of the Committee.



4. Vigilance and Disciplinary Committee

Chairman

Dr. Justice B.R. Sarangi

Members

Justice D. Dash, Justice K.R. Mohapatra, Justice B.P. Routray

This committee examines complaints received against judicial officers and recommends whether they should be proceeded with by way of a disciplinary action or the complaints should be dropped. Complaints that are anonymous or unsupported by an affidavit or unverified are usually not entertained.

During 2023, Dr. Justice S. Muralidhar,

former Chief Justice was the Chairman of this Committee till 07th August, 2023. Justice S. Talapatra was member of the Committee till 7th August, 2023 and remained Chairman of the Committee as the Chief Justice from 8th August, 2023 to 3rd October, 2023.

Justice Jaswant Singh was a member of the Committee till 14th February, 2023.

5. Building Committee

Chairman

Dr. Justice B.R. Sarangi

Members

Justice R.K. Pattanaik, Justice A.K. Mohapatra,
Justice B.P. Satapathy and Justice Chittaranjan Dash

Earlier, there used to be two Building Committees of the Court - one for infrastructure of the High Court of Orissa and the other for the infrastructure of the District Judiciary. This arrangement continued till 14th February, 2023.

Till 14th February, 2023 the erstwhile High Court Building Committee consisted of Justice Jaswant Singh as Chairman and Justice D. Dash, Justice A.K. Mohapatra, Justice V. Narasingh and Justice Chittaranjan Dash as members, and the Building Committee for District Judiciary consisted of Dr. Justice B.R. Sarangi as Chairman and Justice R.K. Pattanaik, Justice

B.P. Satapathy and Justice G. Satapathy as Members. Likewise, till 14th February, 2023 the erstwhile Building Committee for District Judiciary consisted of Dr. Justice B.R. Sarangi as Chairman and Justice R.K. Pattanaik, Justice B.P. Satapathy & Justice G. Satapathy as Members.

The two Building Committees were merged on 15th February, 2023 and since then a single Committee is dealing with infrastructural matters of both - the High Court & the District Judiciary.

In order to meet the requirement of the present and that of the future, massive expansion of Judicial Infrastructure is the need of the hour

for the smooth functioning of Courts in the State. The infrastructural projects of the District Judiciary of the State are mainly undertaken under two schemes i.e. Centrally Sponsored Scheme (CSS) and State Sector Scheme (SSS).

Centrally Sponsored Scheme (CSS)

Centrally Sponsored Scheme (CSS) has been introduced and implemented by the Government of India since the financial year 1993-94 for infrastructural development of the Judiciary to augment the resources of the State Government. Recently, the Central Government have been pleased to extend the Scheme till the F.Y.-2025-26.

Under the CSS, the fund sharing pattern is in the ratio of 60:40 between the Centre and the State as far as the State of Odisha is concerned i.e. 60 % of the funds are to be released by the Central Government while the commensurate State share of 40% are to be provided by the State Government.

Funds to the tune of Rs. 51.15 Crore (Rs. 30.69 Crore as Central Share + Rs. 20.46 Crore as State Share) have been earmarked for the financial year, 2022-23 under the CSS and the funds so earmarked have been received during the fag end of the financial year, 2022-23 i.e. in the month of March, 2023 and all the funds so received are being utilized for infrastructural development of the District Judiciary in this financial year by following the guidelines framed by the Ministry of Law & Justice (Department of Justice) and the Ministry of Finance (Department of Expenditure), Government of India.

Further, funds to the tune of Rs. 69.97 Crore (Rs. 41.982 Crore Central Share + Rs. 27.988

Crore State Share) have been earmarked for the financial year, 2023-24 under the CSS and in total 89 projects have been included in the Action Plan, 2023-24. Out of such 89 projects, 36 Nos. of new projects pertaining to the District Judiciary of the State have been accorded with Administrative Approval by the Court under the Scheme.

Moreover, a proposal of Rs. 221,47,50,849/- (Rupees Two Hundred Twenty-One Crore Forty-Seven Lakh Fifty Thousand Eight Hundred Forty-Nine Only) has been sent to the State Government by the Court for taking necessary steps for provision of funds in the Financial Year, 2024-25 for the purpose of infrastructure development of the District Judiciary under the CSS.

State Sector Scheme (SSS)

The funds are being provided every financial year under the State Sector Scheme (SSS) for infrastructural Development of the State Judiciary, which are fully funded by the State Government.

Budgetary Provision of Rs. 289,87,28,000/- (Rupees Two Eighty Nine Crore Eighty Seven Lakh Twenty Eight Thousand Only) have been made for development of infrastructural facility for the District Judiciary under State Sector Scheme of Programme Expenditure during the financial year, 2023-24. Further, 395 new projects of the District Judiciary have already been accorded with administrative approval by the Court under the Scheme during the period from April, 2023 to December, 2023. Besides, 88 No. of ongoing projects relating to the District Judiciary of the State are being taken up under State Sector Scheme during the F.Y. 2023-24.



Apart from above, a proposal of Rs. 805,65,36,266/- (Rupees Eight Hundred Five Crore Sixty Five Lakh Thirty Six Thousand Two Hundred Sixty Six Only) has been sent to the State Government by the Court for making provision of funds in the Financial Year, 2024-25 for the purpose of infrastructure development of the District Judiciary under SSS.

Repair / renovation / improvement and maintenance of buildings pertaining to the district judiciary

In order to meet the needs of Repair/ Renovation/ Improvement and Maintenance of the existing infrastructures of the District Judiciary, the State Government have allocated Rs. 85,00,00,000 (Rupees Eighty Five Crores only) for fulfilling the requirement of repair/ renovation/ improvement of the infrastructure of the District Judiciary in the financial Year 2023-24, the details about the allocation funds to the respective Executing Agencies for the completion of the approved revenue nature projects till the end of December, 2023 are as follows:

Sl. No.	Name of the Executing Agency	Funds earmarked for execution of Revenue Outlay Projects of the District Judiciary in the Financial Year, 2023-24
NON-RESIDENTIAL PROJECTS		
1	C.E. (Buildings)	47,00,00,000
2	C.E. (Rural Works)	7,00,00,000
3	E.I.C. (P.H.)	5,00,00,000
	TOTAL (in ₹.)	59,00,00,000
RESIDENTIAL PROJECTS		
1	C.E. (Buildings)	20,00,00,000
2	C.E. (Rural Works)	3,00,00,000

Sl. No.	Name of the Executing Agency	Funds earmarked for execution of Revenue Outlay Projects of the District Judiciary in the Financial Year, 2023-24
3	E.I.C. (P.H.)	3,00,00,000
	TOTAL (in ₹.)	26,00,00,000

In the financial Year 2023-24 (till December, 2023), the Court have approved 455 Nos. revenue nature projects in total till date i.e. 335 Nos. of Non-residential & 120 Nos. of Residential projects pertaining to the District Judiciary.

The details of such projects are as follows:

Sl. No.	Executing Agency	No. of Non-Residential projects approved by the Court	No. of residential Projects approved by the Court	Total
1	C.E. (Buildings), R&B	300	114	414
2	C.E. (Rural Works)	24	3	27
3	E.I.C. (P.H.)	11	3	14
	TOTAL	335	120	455

Major policy decisions relating to the High Court infrastructure

- Provision of funds was made 550 staff quarters over 10 acres of land at Sector-13, CDA, Cuttack and foundation stone for the project was laid by the Chief Minister;
- Provision of funds was made for 5 new bungalows for Judges in the Cantonment Road area of Cuttack;
- Expansion of the six storied Administrative Block of the High Court was completed and made functional;

- Provision of funds was made for new building of the Centre for Judicial Archives over Ac.1.884 dec at Sector-1, CDA, Cuttack, foundation stone for the project was laid by the Chief Minister and the construction work has substantially progressed;
- Provision of funds was made for covered parking in front of the new building of the High Court. The construction work has been completed and it has been made functional;
- Provision of funds was made for new Annexe building (B+G+5) for the High Court Bar Association, but the project is yet to commence as it is awaiting administrative approval of the State Government;
- Provision of funds was made for foot over bridge with facility of lifts for safe access of advocates and litigants to High Court premises from the Ring Road along Kathajodi river, but the project is yet to commence as it is dependent on commencement of new annexe building (B+G+5).
- Funds were provided for rejuvenation of the High Court Museum as Museum of Justice and the work was completed;
- Modernization of IT Cell, Protocol Section, Law Reporter Section and Vehicle Section with new furniture and storage cabinets;
- A toilet in the ground floor of the High Court Building was modified to make it friendly for the persons with disability and transgender;
- Construction of the new building of the High Court Guest House at Puri was completed and the Guest House has been

put to use;

- In order to strengthen the security surveillance, the Committee took up installation of new High Resolution CC Cameras and upgraded the existing security gadgets at different locations in the High Court.

Major policy decisions relating to infrastructure of District Judiciary

- For the menstrual hygiene of the female litigants and female stakeholders and compliance of the directions imparted by Hon'ble the Supreme Court of India vide order dated 08.05.2023 in W.P. (Civil) No.- 538/ 2023 (Rajeeb Kalita Vs Union of India & Others), it was decided to install at least one Sanitary Napkins dispenser and Sanitary Napkins Incinerator in each of the Court Complex of the State. 162 Court Complexes across the State now have adequate facilities for sanitary napkins dispensers. In these Court Complexes, at least one Sanitary Napkins dispenser and one Sanitary Napkins Incinerator have already been installed. In the rest Court Complexes, steps are being taken for installation of the same at the earliest.
- The High Court has laid down the schematics of CCTV Camera installation in all the District Courts of the State pursuant to directions of Hon'ble the Supreme Court of India imparted in W.P.(Crl.) No.99/2015 (Pradyuman Bisht Vs. Union of India and Ors.). As on 9th May, 2023, CCTV Cameras had been installed in 100 Court Complexes across the State. In May, 2023, the High Court asked the District Judges to take steps for installation of CCTVs (IP Camera)

with audio and storage facility for 90 days in the appropriate places of the Court Complexes. Till the end of the year, 166 estimates amounting to Rs.30,50,35,527/- received from various District Courts for the purpose have been approved by the High Court of Orissa under the State Sector Scheme and Rs.30,01,10,165/- was released in favour of the Executing Agencies with instruction to complete the project work within 4 months.

- It was decided to prepare a Compendium of circulars, instructions, rules, guidelines etc. issued pertaining to infrastructure of the District Judiciary including VWDCs of the State for information and use by the District Courts and other stakeholders. The work is going on and likely to be completed in 2024.
- To ensure uniformity in the judicial buildings of District Judiciary with standardized plans and designs, it was decided to approve and adopt the following Model Plans (Designs & Drawings) for construction of Non-Residential and Residential Building projects pertaining to the District Judiciary:
 - a. Taluk Court Buildings (Single-Storied) having one functional Court.
 - b. Taluk Court Buildings (Double-Storied) having two or more functional Courts.
 - c. Bar Association - cum - Canteen Building for Taluk Courts having one or two functional Courts.
 - d. B-type Judicial Quarters (Duplex) for Principal District Judge at Headquarters Station.
 - e. B-type Judicial Quarters (Duplex) for officers of the cadre of District Judge other than Principal District Judge.
 - f. B-type Judicial Quarters (Stilt + 3 floors) at District Headquarters Stations.
 - g. C-type Judicial Quarters (Duplex) at District Headquarters and Outlying stations having one unit.
 - h. C-type Judicial Quarters (Stilt + 3 floors) at District Headquarters Stations.
 - i. D-type Judicial Quarters (Single-Storied) at Single/ Outlying stations having one unit.
 - j. D-type Judicial Quarters (Stilt + 3 floors) at District Headquarters Stations.
 - k. E-type Judicial Staff Quarters (Stilt + 2 floors) at Single/ Outlying Stations.
 - l. E-type Judicial Staff Quarters (Stilt + 3 floors) at District Headquarters Stations.
 - m. F-type Judicial Staff Quarters (Stilt + 1 floor) at Single/ Outlying stations.
 - n. F-type Judicial Staff Quarters (Stilt + 3 floors) at District Headquarters Stations.
- Again, to ensure uniformity in the appearance of all the Residential Quarters owned by the Judiciary in the District Courts of the State for the purpose of safety and security; it was decided that the outer walls of all such residential buildings in occupation of the Judicial Officers and Staff would be painted with brick red colour with lemon yellow borders.
- The residential quarters occupied by the Judicial Officers are also used as residential office and visited by advocates, litigants, Police Officers and Officers of different departments during holidays as well as before & after officer hours during working days. It was decided to install Air Conditioners in all the residential office-



cum-quarters (owned by judiciary as well as spared by the Government) occupied by the Judicial Officers of all cadres of the District Judiciary of the State.

The list of completed Court buildings, completed Residential quarters and new projects undertaken is at Appendices- B, C & D respectively.

6. Appeal Committee for subordinate Courts

Chairman

Justice K.R. Mohapatra

Members

Justice S.K. Mishra, Justice Chittaranjan Dash, Justice A.C. Behera

On 10th October, 2023; the Appeal Committee for Sub-ordinate Courts is re-constituted and has been functioning as such since then, comprising of the Judges of the Court named above.

Prior to that till 14th February, 2023, the Committee was consisting of Shri Justice Jaswant Singh as the Chairman, Dr. Justice B.R. Sarangi, Shri Justice Arindam Sinha and Shri Justice G. Satapathy as the members. Thereafter, for the period 15th February, 2023 to 6th September, 2023, the Committee comprised of Shri Justice Biswanath Rath as the Chairman and Shri Justice S.K. Sahoo, Shri Justice Sashikanta Mishra, Shri Justice Chittaranjan Dash as the Members. It is pertinent to mention here that on 6th September, 2023, Hon'ble Shri Justice Biswanath Rath has superannuated from the Bench on attaining the age of retirement. Then for the period 8th September, 2023 to 9th October, 2023, Shri Justice S.K. Sahoo was the Chairman and Shri Justice K.R. Mohapatra, Shri Justice Sashikanta Mishra, Shri Justice Chittaranjan Dash were

the members of the Committee.

The Committee has been constituted in terms of Rule 10 of Chapter - II of the Rules of the High Court of Orissa, 1948. It deals with appeals and representations made on the administrative side by the employees of the District Judiciary against the orders passed by the Appointing Authority and Disciplinary Authority.

The provisions contained in Rules 22 & 23 of the Odisha Civil Services (Classification, Control & Appeal) Rules, 1962, permit the non-gazetted staff of the District Judiciary to prefer appeal against the penalties imposed on them by the Disciplinary Authority and orders passed by the Appointing Authority respectively.

At the beginning of 2023, 20 appeals were pending. During the year, 16 new appeals were preferred and 17 appeals were disposed of by the Committee. At the end of the year, 19 appeals are pending.



7. Judicial Academy and Training Committee

Patron in Chief

The Chief Justice

Chairman

Justice D. Dash

Members

Justice K.R. Mohapatra, Dr. Justice S.K. Panigrahi, Justice G. Satapathy, Justice A.C. Behera

During 2023, Dr. Justice S.Muralidhar, former Chief Justice was the Patron-in-Chief till 07th August, 2023. Justice S. Talapatra was Patron-in-Chief till 03rd October, 2023. Dr. Justice B.R.Sarangi was the Chairman till 09th October, 2023 and remained Patron-in-Chief as the Acting Chief Justice from 10th October, 2023 for remaining part of the year.

During 2023, Justice Sashikanta Mishra was a member of this Committee till 14th February, 2023, Justice M.S.Raman was a member of this Committee till 09th October, 2023.

This Committee is entrusted with the

responsibility of taking decisions regarding the training to be imparted to newly recruited judicial officers as well as continuing education to the serving ones. It finalizes the calendar of training workshops, seminars, conferences and events for the entire year. The committee elicits feedback from the participants at every workshop and training session.

A central focus of the committee is on the updation of the knowledge of judicial officers on judicial ethics, judicial skills, sensitization in the areas of gender, disabilities, social issues, poverty, access to justice and environment.

8. Information Technology (IT) and Artificial Intelligence (AI) Committee

Chairman

Justice K.R. Mohapatra

Members

Dr. Justice S. K. Panigrahi, Justice M. S. Raman, Justice Chittaranjan Dash

In 2023, Justice S.Talapatra, former Chief Justice was the Chairman of this Committee till 07th September, 2023, Justice S.K. Sahoo was the Chairman of this Committee till 09th October, 2023. Justice S.Ratho was a member of this Committee from 08th September 2023 till 09th October, 2023.

This committee is assigned with the tasks

of implementing: Various initiatives of the e-Committee of the Supreme Court of India under the e-Courts project;

Information & Communication Technology (ICT) initiatives of The High Court of Orissa; AI related initiatives under the guidance of the AI Committee of the Supreme Court.

Some of the notable works carried out under



the supervision of this Committee in 2023 include, inauguration of 212 paperless courts in various districts of the state, adoption of paperless court system in 15 benches of the Hon'ble Court, inauguration of 30 virtual centres of the High Court in 29 judgeships of the

State, organizing the National Conference on digitization, paperless courts and e-initiatives.

The detailed description of the ICT activities undertaken under the supervision of the Committee is given in a separate chapter hereafter.

9. Rules Committee for all Rules (except under Section 123 CPC)

Chairman

Justice B. P. Routray

Members

Justice R.K. Pattanaik, Justice A.K. Mohapatra, Justice S.K. Mishra, Justice G. Satapathy

During 2023, Justice S. Talapatra was the Chairman of the Committee till 7th September, 2023.

Registrar (Judicial) acts as Secretary of the committee for making rules relating to High Court Establishment and Registrar (Vigilance) acts as Secretary of the committee for all other matters.

The Committee constituted in terms of Rule-7 of the Rules of the High Court of Orissa, 1948, considers proposals to annul, alter or add or to make new Rules for the High Court of Orissa as well as for the District Judiciary of the State.

In 2023, the Committee recommended amendments to various Rules and schemes. Significant among the suggested amendments are the amendments in the G.R. & C.O. (Civil) and G.R. & C.O. (Criminal) on Examination of witness through Virtual Mode, Dress Code

for the Employees of the District Judiciary of the State in order to maintain Discipline and Decorum in the Office, mode of recording evidence of rape victims etc.

The other important recommendations includes amendment of the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019 for amalgamation of the posts of common cadre of Assistant Registrars & incorporation of the posts of Junior Librarian and Assistant Editor, amendment of the High Court of Orissa (Designation of Senior Advocate) Rules, 2019 on fixation of certain criteria for the designation of Senior Advocate, amendment of the Odisha Superior Judicial Service and Odisha judicial Service Rules, 2007 on restructuring of cadres of Judicial Officers & recording of Annual CCRs of the Judicial officers.

A list of the recommendations of the Committee made during the year is at **Appendix-E**.



10. Departmental Promotion Committee for the staff of the High Court (other than Group-D)

Chairman

Justice B.P. Routray

Members

Justice R.K. Pattanaik, Justice Chittaranjan Dash, Justice Sibo Sankar Mishra

During 2023, Dr. Justice B. R. Sarangi and Justice K.R Mohapatra were the chairman of the committee till 7th September, 2023 and 9th October, 2023 respectively. Dr. Justice S. K. Panigrahi was a member of the committee from 15th February, 2023 to 7th September, 2023.

This Committee deals with promotion of the employees of the High Court other than the Group-D employees. Besides, it deals with recruitment of Assistant Section Officers (ASOs) in the High Court and all other recruitments except for which other Committees are constituted. It also deals with matters relating to Court Managers.

In 2023, the Committee took up promotion of various cadres and 273 employees were promoted to different cadres as indicated in **Appendix-F**. In comparison, 45 employees in 2018, 49 employees in 2019, 62 employees in 2020, 72 employees in 2021 and 108 employees in 2022.

The Committee initiated and completed the recruitment of Junior Stenographers in two phases. In the first phase 35 posts were advertised and 883 applications were received. Out of them, 633 candidates appeared for English Test and 199 candidates qualified. 188 candidates appeared for the Computer Application Test and 152 candidates qualified. 151 candidates appeared in the Skill Test in

Stenography. Out of them 6 candidates finally qualified. Likewise, 36 posts were advertised in the second phase and 896 applications were received. Out of them, 709 candidates appeared for the English Test and 405 candidates qualified. 370 candidates appeared for the Computer Application Test and out of them 229 candidates qualified. 225 candidates appeared in the Skill Test in Stenography. Out of them 6 candidates finally qualified.

The Committee initiated and completed the recruitment of Assistant Section Officer. 199 posts for Assistant Section Officer were advertised and 32912 applications were received. Out of them, 25249 candidates appeared in the Preliminary Examination and 5460 candidates qualified. 4954 candidates appeared for the Main Written Examination and 1257 candidates qualified. 1208 candidates appeared in the Computer Application Test out of them 834 candidates qualified. 829 candidates appeared in the Interview and out of them 146 candidates finally qualified.

A Special Recruitment Drive was also taken up by the Committee for filling up 53 posts of Assistant Section Officer under ST category and recruitment to 34 posts of Junior Grade Typist/ Data Entry Operator in the Court's Establishment. Both the recruitment processes are going on.



Recruitment to Various posts in the cadre of Group-D

During 2023, initiatives were taken for recruitment of 88 posts in cadre of Group-D. For the said purpose a Committee of Registrars was constituted. Further a Committee of Hon'ble Judges was also constituted to supervise the initiatives of the Committee of Registrars for the above recruitment.

14530 number of applications were received

for 88 posts advertised in the cadre of Group-D. 7417 candidates appeared in the 1st stage of the examination out of which 1423 candidates qualified. 1331 candidates appeared in the 2nd stage of the examination and 766 candidates qualified in this stage. In the final stage of the recruitment, 753 candidates appeared and out of them 47 candidates finally selected and appointed.

The number of employees recruited during the year has been indicated at Appendix-G

11. Examination Committee

Chairman

Dr. Justice B.R.Sarangi

Members

Justice K. R. Mohapatra, Justice B. P. Routray Justice R. K. Pattanaik, Justice V. Narasingh

The Committee in question is responsible for overseeing the examination process for the recruitment of Officers in the cadre of District Judge. This recruitment is carried out through two methods: direct recruitment from the Bar and the Limited Competitive Examination.

Following a directive from the Supreme Court of India in the case of Malik Mazhar Sultan v. U.P. Public Service Commission (C.A.No.1867/2006), an Examination Cell was established and has been operational since August 17, 2021. The Cell operates under the supervision of the Registrar (Examination), a Senior Judicial Officer in the cadre of District Judge who has been temporarily assigned to the High Court. The Cell is staffed by one Superintendent, two ASOs, and one Class-IV staff.

The Examination Cell not only handles the

recruitment of District Judges through direct and limited competitive examinations but also takes on other recruitment examinations as delegated by the Chief Justice.

For the 25 vacancies in 2022, filled through direct recruitment from the Bar, 429 applications were received. Out of these, 247 candidates participated in the written test held on January 15, 2023, and only 9 candidates qualified for the subsequent viva voce held on March 14, 2023. Ultimately, 3 candidates successfully passed the viva voce and were appointed.

Similarly, for the 11 vacancies in 2022, filled through the Limited Competitive Examination, 51 applications were received. 46 candidates appeared for the written test, and 13 candidates qualified for the viva voce held on March 13, 2023. Among the 13 candidates, only 3 successfully passed the viva voce and were



appointed to the cadre of District Judge.

Further, 23 vacancies to be filled through direct recruitment from the Bar and 12 vacancies

to be filled through Limited Competitive Examination have been advertised in 2023 for which recruitment process is underway.

12. Disposal Review Committee

Chairman

Justice Arindam Sinha

Members

Justice S. K. Sahoo, Justice M.S. Sahoo, Justice S.K. Mishra, Justice G. Satapathy

During, 2023, Justice B. Rath was a member of this Committee till 06th September, 2023 and Justice Chittaranjan Dash was a member of this Committee till 09th October, 2023. This committee has been constituted to come up with plausible case management and court management measures to tackle the issue of heavy pendency of cases in the District Courts. It also takes into account the relevant resolutions passed in this context by the Chief justice's conference as well as the "Arrear

Eradication Scheme" suggested in the report of the Malimath Committee. The suggestions of this Committee are conveyed to the Judges of the High Court as well as the District Courts. While the High Court recorded a decrease of 12.49% disposal in 2023 in comparison to the previous year, the District Judiciary recorded a decrease of 17.26%. In 2023 the case clearance rate in High Court stood at 112.11% and that in the District Judiciary at 90.03%.

Disposal statistics of High Court for last 5 years

Year	Institution	Disposal	Comparative rate of increase in disposal with previous year (%)	Case Clearance Rate (%) (Disposalvis-à-vis institution)
2019	81,121	93,224	+47.42	114.91
2020	83,499	61,335	-34.20	73.86
2021	1,28,786	1,05,334	+71.73	81.67
2022	1,04,321	1,36,599	29.86	130.94
2023	1,06,629	1,19,544	-12.49	112.11

**Disposal statistics of District Judiciary for last 5 years**

Year	Institution	Disposal	Comparative rate of increase in disposal with previous year (%)	Case Clearance Rate (%) (Disposalvis-à-vis institution)
2019	4,10,782	2,96,535	+16.40	72.18
2020	2,84,805	1,26,077	-57.48	44.26
2021	4,34,810	2,38,588	+89.23	54.87
2022	5,52,948	5,15,392	+116.01	93.20
2023	4,73,634	4,26,422	-17.26	90.03

13. Committee for Family Court Matters**Chairman**

Justice Savitri Ratho

Members

Justice A.K. Mohapatra, Justice V. Narasingh, Justice M.S. Raman, Justice A.C. Behera

This Committee was constituted in view of the directions issued by the Supreme Court of India, in a letter dated 9th June, 2016. The Registrar (Administration) is the Convenor of the Committee. A database of the cases pending in the Family Courts has been prepared under the supervision of this Committee.

This Committee oversees the various steps involved in the filling up of the vacancies in the posts of counselors in the Family Courts. An expert is associated in the

interviews conducted of the short listed candidates by the Committee. The Select lists as recommended by the Committee are placed before the High Court for approval.

In 2023, no new appointment of Principal Counsellors and Counsellors were made. Till the end of year 2023, out of 30 posts of Principal Counsellors, 12 were working and 18 were lying vacant. Likewise out of 30 posts of Counsellors, 28 were working and 2 were lying vacant.



14. Mediation Monitoring Committee

Chairman

Justice Arindam Sinha

Members

Justice K. R. Mohapatra, Justice S. Ratho, Justice M. S. Sahoo, Justice S.S. Mishra

Convenor

Coordinator, High Court Mediation Centre

Justice Arindam Sinha was the Chairman of this Committee till 14th February, 2023 and was again appointed Chairman on 10th October, 2023. Justice S.Talapatra, former Chief Justice was the Chairman till 07th September 2023. Justice K.R.Mohapatra and Justice S.Ratho were members of this Committee till 08th September, 2023 and were again appointed as members on 10th October, 2023. Justice M.S.Raman and Justice Chittaranjan Dash were members of this Committee till 09th October, 2023.

This Committee oversees the functioning of the High Court of Orissa Mediation Centre which was inaugurated on 3rd January, 2015 which has been catering to the needs of the litigating parties by bringing about settlement between them. As of date, 62 trained mediators have been empanelled.

A whole range of issues including family disputes, commercial matters, civil and criminal both in pending cases and at the pre-litigation stage are referred to the Mediation Center.

The services of Child Psychologist are also enlisted in select cases. Four well-equipped ICT-enabled mediation rooms have been made available for this purpose at a newly inaugurated state-of-the-art mediation Center.

At the beginning of 2023, 41 cases were pending at the Centre. In the year 2023, 161 mediation proceedings were registered. During 2023, 165 proceedings were disposed of and 37 proceedings were pending at the end of the year. Out of the disposed of proceedings, in 25 proceedings mediation was successful and in 140 proceedings it was unsuccessful.

At the beginning of 2023, 19 cases were pending at the Centre. In 2023, 138 pre-litigation mediation proceedings were registered. During 2023, 136 were disposed of. At the end of the year, 21 such proceedings were pending. Out of the 136 disposed of cases, in 4 proceedings mediation was successful and in 3 proceedings mediation was unsuccessful and in 129 proceedings mediation was non-starter.



15. Arbitration Committee

Chairman

Justice S.K. Sahoo

Members

Justice B.P. Routray, Justice Sashikanta Mishra, Advocate General, Odisha, Deputy Solicitor General of India for the High Court of Orissa, President, High Court Bar Association, Cuttack Coordinator, Arbitration Centre (Ex-Officio Member)

Justice D.Dash and Justice S. Talapatra, former Chief Justice were chairmen of this Committee till 14th February, 2023 and 07th September, respectively. Dr. Justice S.K. Panigrahi was the Chairman till 09th October, 2023. Justice K.R. Mohapatra was a member of the Committee till 07th September, 2023. Justice R.K. Pattnaik, Justice V. Narasingh and Justice B.P. Satapathy were members of the Committee till 09th October, 2023. Mr. J. Sahoo, Senior Advocate in his capacity as President of the High Court Bar association was a member of this Committee till 31st March, 2022. This Committee oversees the functioning of the High Court of Orissa Arbitration Centre. It has on its panel of arbitrators, former Judges of the Supreme Court of India and the High Courts,

former District Judges, Senior Advocates, Advocates, retired Chief Engineers and retired Bureaucrats. It has its own set of rules and a fee structure. At the end of the year 2023, 121 no. of Arbitrators were empanelled. Apart from cases referred to it by the High Court of Orissa and the District Courts under the Arbitration and Conciliation Act 1996, parties by mutual agreement can have their disputes resolved through arbitration at the Centre.

At the beginning of 2023, 171 arbitration cases were pending at the Centre. In 2023, 31 Arbitration cases were registered out of which 01 was disposed of. During 2023, 74 awards were pronounced. At the end of the year, 128 cases were pending.

16. Juvenile Justice Committee

Chairman

Justice D. Dash

Members

Justice S.K. Sahoo, Justice S. Ratho Justice A.K. Mohapatra, Justice M.S. Raman

Convenor

Secretary, Juvenile Justice Committee

This Committee was constituted in 2013 pursuant to the resolution adopted by the Chief Justice's Conference. The mandate of

this Committee is to review and monitor the functioning of all juvenile justice institutions which would include the Juvenile Justice Boards



(JJBs) and the Child Welfare Committees (CWCs) constituted under the Juvenile Justice (Care and Protection of the Children) Act, 2015. The Committee has been overseeing the efforts at reducing the pendency of cases before the JJBs and the CWCs. This Committee is convened by its Secretary who is a District Judge cadre judicial officer brought on deputation to the High Court.

The Committee periodically convenes the

meetings of all stakeholders. As per decision of the Committee, a one day State level Consultation on “Children In Conflict with Law: Prevention, Restorative justice and Diversion and Alternatives to Detention” was held on 26th August, 2023 in collaboration with Women and Child Development Department, Government of Odisha and the UNICEF under the aegis of the High Court of Orissa at the Odisha Judicial Academy, Cuttack.

17. RRDC and High Court Museum Committee

Chairman

Justice D. Dash

Members

Dr. Justice S.K. Panigrahi Justice M.S. Sahoo, Justice B. P. Satapathy, Justice S. S. Mishra

Justice Sashikanta Mishra was a member of this Committee till 07th September, 2023 and Justice S.K. Mishra was a member of this Committee till 09th October, 2023.

The Committee deals with matters relating to digitisation, preservation and destruction of records of disposed of cases of the High Court and the District Courts. It also oversees the functioning of the RRDC, the 4 District Court Digitization Centres (DCDCs), the 10 District Court Digitization Hubs, the Centre for Judicial Archives and the High Court Museum.

In 2023, the Committee undertook the recruitment for the post of History Consultant for the Centre for Judicial Archives. One candidate was selected for the said post. The Committee also took up the recruitment for two posts, one for Law Researcher (Law) and another for Law Researcher (History). The written examination for each of the posts was conducted and the candidate qualified in the written examination appeared in viva voce test. Subsequently, one candidate for the post of Law Researcher (Law) and one candidate for the post of Law Researcher (History) were finally selected.



18. State Court Management System (SCMS) Committee

Chairman

Dr. Justice S.K. Panigrahi

Members

Justice M. S. Sahoo, Justice Sashikanta Mishra, Justice B. P. Satapathy, Registrar General, Registrar (Administration), Principal Secretary, Law Department, Government of Odisha, District and Sessions Judge, Cuttack, Shri Soura Chandra Mohapatra, Sr. Advocate.

Justice B. Rath was the Chairman of the Committee till 6th September, 2023. Subsequently, Justice Arindam Sinha was the Chairman of the Committee till 9th October, 2023. This Committee was constituted in terms of the resolution adopted in the Chief Justice's Conference held in April, 2013. The mandate of this Committee is to oversee the implementation of the National Plan for enhancing the quality, responsiveness and timeliness (QRT) of Courts of Orissa on uniform basis and to provide inputs and suggestions to the National Court Management System (NCMS) Committee for the formulation and effective implementation of the national plan. This Committee is convened by its Member Secretary who is a judicial officer in the cadre of District Judge.

The monthly report regarding the disposal and pendency of 25 years old cases are being furnished by the District Judges every month and it is being monitored by the Administrative Judges of the respective judgeship on monthly basis. In the beginning of the year 2023, there were 4,669 cases pending more than 25 years, which has come down to 2,195 cases at the end of the year.

The Committee is also monitoring the disposal of 5/10 years old cases pending in the District

Judiciary of the State in compliance to the Action Plan and suitable directions are being imparted thereto.

The Committee also monitors the annual uploading of 'Average Time Taken for Disposal of Cases' in the District Judiciary including the Family Courts, M.A.C. Tribunals, and all other designated Courts in the portal developed by the Ministry of Law and Justice, Government of India.

In collaboration with the State Crime Records Bureau (SCRB), the High Court of Orissa has implemented the Warrant Management System (WMS) in the judgeships of Angul, Balasore, Khurda, Ganjam, Koraput, Rourkela in the judgeship of Sundargarh and Sambalpur in the year 2023 for online transmission of warrants to police and tracking the execution thereof.

On 24th August 2023 the Committee nominated Shri Soura Chandra Mohapatra, Senior Advocate, High Court of Orissa as a member of the Committee in pursuant to the direction of the NCMS Committee.

The Committee put forward its views/suggestions to the National Court Management Systems (NCMS) Committee of Hon'ble the Supreme Court of India on the four Baseline Reports regarding Case Management in the



High Court & the District Judiciary, Court Development Planning System (Infrastructure & Budgeting), Human Resource Development Strategy in the District Judiciary and Updated Baseline Report on National Framework for Court Excellence.

The Committee has also put forward its views/suggestions to the Hon'ble Supreme Court of India relating to the Karnataka High Court Guidelines on managing and reducing arrears in the District Judiciary.

In pursuance of the directions passed by Hon'ble the Supreme Court of India in *Yashpal Jain Vrs. Sushila Devi & Ors.*, the Committee is monitoring -

- i. the execution of summons as prescribed under Order V Rule (2) of CPC in the District Judiciary and
- ii. The cases which are pending beyond 5 years old in the District Judiciary.

19. Judicial Calendar Committee

Chairman

Justice S.K. Sahoo

Members

Justice S. Ratho, Justice V. Narasingh, Justice G. Satapathy

The Committee was constituted by Dr. Justice B.R. Sarangi, the then Acting Chief Justice for the purpose of release of Judicial Calendar of Odisha, 2024. Under the supervision of the Committee, on 12th November, 2023 painting competitions were held among the school children of Class-VII to X across the State on the theme "Global Warming" by the District Courts under aegis of the High Court of Orissa. 1782 children participated in the competitions and 3 paintings were selected from each district. The 90 paintings adjudged 1st, 2nd and 3rd in the districts were brought to Cuttack and out of them 12 paintings were selected by the Committee being assisted by Sculptor Shri Rabi Rath and Artist Shri Pranab Akhanda.

The 12 paintings were of Shriyans Panda of Cuttack, Sibasish Das of Kendrapada, Subha Ommkar Rath of Kalahandi, Samapika Nayak of Jajpur, Rudra Prasad Patra of Jagatsinghpur,

Priyadarshini Muduli of Mayurbhanj, Basudev Gamango of Gajapati, Shovit Kushal of Sonepur, Satyajit Sahoo of Cuttack, Ashirbad Das of Angul, Yogeswar Deep of Nuapada and S. Satyam Achary of Koraput. Those paintings have found place in the Judicial Calendar of Odisha, 2024.

In a function in Odisha Judicial Academy the calendar was released by Dr. Justice Bidyut Ranjan Sarangi, the then Acting Chief Justice in the presence of the Judges of High Court of Orissa. Eminent Academician & Writer and Padma Bhusan Awardee Dr. Pratibha Ray, Eminent Vocalist and Padma Shri Awardee Smt. Shyamamani Devi and acclaimed sculptor Shri Rabi Rath were the special guests. The 12 children artists were felicitated by the then Acting Chief Justice, Judges and guests with certificates of appreciation, medals and prizes in presence of their parents.



20. Rules Committee under Section 123 C.P.C.

Chairman

Justice S.K. Panigrahi

Members

Justice Sashikanta Mishra Justice V. Narasingh, Shri Goutam Misra, Senior Advocate, Ms. Pami Rath, Senior Advocate, District and Sessions Judge, Cuttack

Secretary

Registrar (Vigilance)

This Committee considers proposals to annul, alter or add to the Rules in the First Schedule of the CPC or to make new Rules. The Committee submits its recommendations in the form of a report to the High Court. Pursuant to the judgment dated 22nd April, 2021 of the Supreme Court of India in Rahul S Shah -vs-

Jinendra Kumar Gandhi and batch of cases, Civil Appeal Nos. 1659-1660 of 2021, the Committee recommended significant amendments in the relevant provisions of the Code of Civil Procedure, 1908 to facilitate expeditious execution of decrees in respect of immovable properties. Relevant information is at **Appendix- E**.

21. High Court Library Committee

Chairman

Justice S.K.Sahoo

Members

Justice M. S. Sahoo Justice V. Narasingh, Justice S. S Mishra, Justice A.C.Behera

During 2023, Justice V. Narasingh was the Chairman of this Committee from 08th September, 2023 till 9th October, 2023 and is currently a member of the Committee.

While Justice K.R. Mohapatra and Justice M.S. Sahoo were members of the Committee till 08th September, 2023, Justice M.S. Raman and Justice S.K. Mishra were members of this Committee till 9th October, 2023

This Committee oversees the functioning of the Judges' Library in the High Court. It may

also deal with the stocking of the books in the libraries for the District Courts.

As per the recommendation of the Committee, SCC Online journal was supplied to every judicial officer in the state. On the recommendation of the committee, e-libraries for the Bar were opened in 26 Outlying stations in addition to 30 District Court headquarters.

Online Journals of SCC Online Web Edition-Platinum, AIR Online Professional, Manupatra,



EBC Reader Platinum Edition and OLT-CD were provided to newly inaugurated Digital

Reference Library in the eastern part of the Convention Hall of the High Court.

22. VWDC Committee

Chairman

Justice S.K.Sahoo

Members

Justice R.K. Pattanaik, Justice V. Narasingh, Justice S.K. Mishra, Justice G. Satapathy

On 10th October, 2023; the VWDC Committee of the Court is re-constituted and has been functioning as such since then, comprising of the Judges of the Court named above.

Prior to that, till 7th September, 2023; the VWDC Committee was consisting of Shri Justice S.K. Sahoo as the Chairman and Shri Justice B.P. Routray, Shri Justice R.K. Pattanaik and Shri Justice G. Satapathy as the members. Then from the period 8th September, 2023 to 9th October, 2023; Shri Justice R.K. Pattanaik was the Chairman and Shri Justice Sashikanta Mishra, Shri Justice G. Satapathy and Shri Justice Ananda Chandra Behera were the members of the Committee.

The VWDC Committee has been constituted in terms of the directions imparted vide Judgement

dated 11th January, 2022 of the Hon'ble Supreme Court of India in Misc. Application No. 1852 of 2019 in Criminal Appeal No. 1101 of 2019 in the case of Smruti Tukaram Badade vs. State of Maharashtra & Anr. in order to continuously supervise the implementation of the directions of Hon'ble the Supreme Court of India and to ensure establishment of the VWDCs and the matters connected thereto etc. Besides, the Committee monitors and assesses the performance of the thirty (30) VWDCs, currently functioning in the District Headquarters Stations of all the Judgeships of the State.

In the calendar year 2023, a total of 11,976 numbers of Vulnerable Witnesses have been examined in the thirty (30) VWDCs functioning in the District Courts of the State.

23. Annual Report Committee

Chairman

Justice K.R.Mohapatra

Members

Justice B.P. Routray, Justice Sashikanta Mishra, Justice Chittaranjan Dash

This Committee monitors the work relating to the publication of the Annual Report. Two sub committees have been formed to assist the Committee, one for collection, collation

and synchronization of data, having the Member Secretary, Odisha State Legal Services Authority, Registrar (Inspection), Registrar (Judicial), Special Officer (Special Cell) and the



Additional Coordinator, Arbitration Centre as its members and the other for designing, editing and printing of the report, having the Director, Odisha Judicial Academy, Coordinator, High Court of Orissa Arbitration Centre, Registrar

(Records), the Central Project Coordinator and the Deputy Registrar (Records) as its members. The Annual Report of the High Court for the year 2023 is being published under the supervision of the Committee.

24. Purchase Committee

Chairman

Justice B.P. Routray

Members

Justice S. Ratho, Justice A. K. Mohapatra, Justice M. S. Raman, Justice A.C. Behera

During 2023, Justice B.P. Satapathy and Justice Chittaranjan Dash were also members of the Committee till 14th February, 2023 and 09th October, 2023 respectively. Justice A. C. Behera became member of the Committee on 10th October, 2023.

This Committee deals with matters relating to purchase of articles for the Court's Establishment in accordance with the prevailing Rules and Circulars of the Finance Department of the State Government. Besides, it also deals with matters relating to disposal of movable assets of the High Court. Apart from the routine purchases for the Court, the major activity of the Committee in 2023 has been procurement and installation

of Sanitary Napkin Dispenser and Incinerator Machines in the female toilets of the High Court premises for ensuring hygiene of the female employees and lawyers pursuant to the order dated 8th May, 2023 passed by the Supreme Court of India in Writ Petition (Civil) No. 538 of 2023 (Rajeeb Kalita Vrs. Union of India & others). Besides, the Committee decided to continue distribution of good quality iron racks phased out from the High Court after modernization, among the District Courts. After distribution of racks as per the requirement of the District Courts, the remaining racks were sold by auction and the sale proceed of Rs.8,28,318/- was deposited in the appropriate head of account of the Government.

25. RCM Committee

Chairman

Dr. Justice S.K. Panigrahi

Members

Justice B.P. Satapathy, Justice M.S. Raman, Justice S. K. Mishra

The Committee deals with matters relating to reimbursement claims of medical expenses of sitting and former judges and employees of the High Court. A total of Rs.1,35,85,000/-

was reimbursed to the sitting and former judges and the employees against their reimbursement claims from 1st January, 2023 to 31st December, 2023.



26. Internal Complaints Committee

Presiding Officer

Justice S.Ratho

Members

Ms. Saswata Patnaik, Advocate, Director, Odisha Judicial Academy,

Ms. Sangyansubala Bhuyan, Joint Registrar (Judicial)

Convenor

Registrar (Vigilance)

This Committee has been constituted under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act,

2013. In the year 2023, no complaint was received. At present, no complaint is pending.

27. Committee to consider all promotional matters from Group-D cadre to the entry level Group-C Cadre

Members

Registrar (Vigilance), Registrar (Inspection)

This Committee deals with matters relating to promotion of Group-D employees to the entry-level Group-C posts i.e., Treasury Sarkar, Jamadar, Duftary, Attender, Cook- cum-Care

taker and Mali-cum-Chowkidar. In the year 2023, the cases of 81 Group-D employees were considered and 56 employees got promoted to the aforesaid entry-level Group-C posts.

Sl. No.	Name of the post for which promotion was considered	No. of Vacancies	No. of candidates in zone of consideration	No. of candidates promoted
1.	Jamadar	25	Group-D Cadre-81	25
2.	Duftary	18		18
3.	Attender	02		02
4.	Cook-cum-Caretaker	11		11
	Total	56	81	56



28. Committee to oversee the progress of cases under PC & PNDT Act

Chairman

Justice Arindam Sinha

Members

Justice Sashikanta Mishra, Justice B.P. Satapathy, Justice G. Satapathy, Justice S.S. Mishra

During the year 2023, Justice B.P. Routray was a member of the Committee till 07th September, 2023, Justice V. Narasingh was a member of the Committee till 09th October, 2023 and Justice A.C. Behera was a member of the Committee till 09th October, 2023.

At the beginning of the year, 2023, twenty two cases under the PC & PNDT Act were

pending in the State. During the year 2023, eight cases have been disposed of and 14 cases are pending at the end of the year.

This Committee deals with matters relating to (a) Setting up of Commercial Courts, Commercial Division & Commercial Appellate Division and (b) Disposal of NDPS cases in the State of Odisha

29. Accessibility Committee

Chairman

Dr. Justice S. K. Panigrahi

Members

Hara Prasad Padhy, Registrar (Records), Mrutunjaya Dash, Assistant Registrar-cum-Establishment Officer, Abhijit Kumar Mitra, Assistant Registrar (Judicial), Sujit Ranjan Sahoo, System Officer, Alekh Kumar Mohanty, Superintendent, Biswajit Mohapatra, Advocate

This committee has been formulated on 26th December, 2023. This committee serves as the nodal authority for taking pro-active measures to ensure greater accessibility of judicial process/ infrastructure within the court and for pulling in place a system to ensure

that every stakeholder in the justice delivery system who is affected by a disability is given a reasonable accommodation that they need. The committee ensures that the cause list of a court is not inaccessible to any person with disability.

30. AI Translation Committee

Members

Dr. Justice S.K. Panigrahi, Justice Sashikanta Mishra

The Committee deals with matters concerning translation of reportable Supreme Court and High Court judgments/records through the AI tool called SUVAS (Supreme Court Vidhik

Anuvaad Software) into vernacular language i.e. Odia. The Registrar (Inspection) works as the Secretary of the Committee.

The AI Assisted Legal Translation Advisory Committee of Hon'ble Supreme Court of India headed by Hon'ble Sri Justice Abhay S. Oka is monitoring the progress of the AI translation work. A dedicated Translation Cell having 14 translators are strenuously working for translation of the Supreme Court and High Court reportable judgments and records being validated by retired Judicial Officers in the cadre of District Judge. As of now 116 Supreme Court and 38 High Court judgments have already been translated into Odia and uploaded in the

websites of the Supreme Court and High Court. Besides, the judgments are also being uploaded in the eSCR (eSupreme Court Records). All the sites are accessible to public.

The availability of judgments in Odia is a great step for popularizing the Supreme Court and High Court judgments in Odia language. It will not only increase the accessibility of the people to the "Justice Dispensation System", but also will be a great step to the concept of justice at the doorstep.



Hand painted wooded multi-coloured "Vintage Bridal Box" displayed at Chief Justice's chamber



Pattachitra depicting Nature and Wildlife in harmony displayed at Judges' Lounge

Registry

The Rules of the High Court of Orissa, 1948 lays down the procedures for functioning of the different branches of the Court. The High Court has two major wings: Judicial and Administrative. The administrative wing otherwise known as the Registry of the High Court has different departments further divided into various sections manned by High Court officials. The organizational structure is

depicted on the facing page. It is headed by the Registrar General of the High Court. The Registrar General oversees the functioning of every wing.

In 2023, several posts in different cadres were created by the State Government on the recommendation of the High Court. Details of the posts created in the year are at **Appendix-H**.

There are different categories of officers and staff in the Registry;

1. Judicial Officers from the Odisha Superior Judicial Service and Odisha Judicial Service;
2. Ministerial officers and staff (Additional Registrar, Joint Registrars, Additional Deputy Registrars, Assistant Registrars, Superintendents, Section Officers, Assistant Section Officers, Court Managers, System Analyst, Programmer, Peripatetic Stamp Reporters, Judicial Indexer, Translators, Librarian, Assistant Librarian and Technical Assistants, staff of Typist, Copyist and Diarist cadres, staff of Driver cadres, Treasury Sarkar, Jamadars, Attenders, Duftaries, Cook-cum-Caretaker, Mali-cum-Chowkidar and Group-D staff);
3. Secretarial officers and staff (Additional Registrar-cum-Principal Secretary, Joint Registrar-cum-Principal Secretary, Additional Deputy Registrars-cum-Additional Principal Secretaries, Assistant Registrars-cum- Senior Secretaries, Secretaries, Personal Assistants, Senior Stenographers and Junior Stenographers);
4. Government Officers and staff on deputation (Senior Technical Director and Scientist(F) of National Informatics Centre, the Chief Accounts Officer, the Medical Officers (Allopathy) and staff of the High Court Dispensary, the Medical Officer (Homeopathy) and staff of the High Court Homeopathy Dispensary and Physiotherapist;
5. Technical personnel for e-Courts project (Senior System Officer, System Officers and System Assistants);
6. Persons holding tenure posts in the High Court (Law Reporter, Research Assistants and Assistant Editor)

The Judicial Officers and the Ministerial Officers supervise the functioning of the offices in the Registry. The Secretarial officers and staff are attached to the Chief Justice and the Judges. The officers working on deputation discharge specific functions-the Senior Technical Director and Scientist(F), National Informatics Centre (NIC) look after implementation of the e-Courts projects through NIC, the Chief Accounts

Officer deputed by the Finance Department of the Government looks after the budget of District Judiciary and acts as a Financial Advisor, the Medical Officer (Allopathy) and the Medical Officer(Homeopathy), both deputed by the Health Department of the Government manage the High Court Dispensary and Homeopathy Dispensary respectively.



Saura painting displayed at Judges' Lounge



The Registrar General and the Officers of the Registry

Sitting from left to right: Rudra Prasad Mahapatra, Secretary, Juvenile Justice Committee, Santosh Kumar Dash Ray, O.S.D. (Vigilance), Suman Kumar Mishra, Registrar (Judicial), Pratap Kumar Patra, Registrar General, Akhil Kumar Paschimakabat, Registrar (Vigilance), Pravakar Ganthia, Registrar (Inspection) and Satyabrata Mishra, Coordinator, Arbitration Centre.

Standing from left to right : Amaresh Nayak, Deputy Registrar (Judicial), Hara Prasad Padhy, Registrar, Records, Jitendra Das, Assistant Registrar (Administration), Soumya Sourav, Central Project Coordinator, Sibasish Giri, Deputy Registrar, Records, Ashish Pattanaik, Special Officer (Administration), Biswajit Nayak, Additional Coordinator, Arbitration Centre, Ashish Kumar Sahoo, Special Officer (Special Cell) and Debasis Mohanty, Deputy Registrar (Administration & Protocol)



Ministerial Officers of the High Court of Orissa

Sitting from left to right - Subrat Ghose, A.D.R. (J&E), Abhijit Ku. Mitra, Asst. Registrar (Judl.), Pranjaya Mishra, A.D.R. (J&E), Nibedita Panda, A.R-cum-Addl. Stamp Reporter & Oath Commissioner, Namita Behera, A.D.R. (J&E), Sangyanshubala Bhuyan, Joint Registrar (Judicial), Mamata Paikray, A.D.R. (J&E), Chittaranjan Dash, A.D.R. (J&E), Pradipta Ku. pattnaik, 1st Asst. Registrar (Judl.), Kailash Ch. Barik, Asst. Registrar (Estt.), Nityananda Behera, A.R-cum-Addl. Stamp Reporter & Oath Commissioner and Ashis Kumar Sahoo, A.R-cum-Addl. Stamp Reporter & Oath Commissioner.

Standing from left to right - Prasanta Kumar Nayak, Court Officer-cum-Asst. Registrar, Laxmidhar Mohapatra, A.R-cum-Addl. Stamp Reporter & Oath Commissioner, Mrutunjaya Dash, Asst. Registrar-cum-Estt. Officer, Debendranath Murmu, A.R-cum-Addl. Stamp Reporter & Oath Commissioner, Chakradhar Naik, A.R-cum-Addl. Stamp Reporter & Oath Commissioner, Jayanta Ku. Mohapatra, A.R-cum-Addl. Stamp Reporter & Oath Commissioner, Hrushikes Jena, A.R-cum-Addl. Stamp Reporter & Oath Commissioner, Gangadhar Tarai, A.R-cum-Addl. Stamp Reporter & Oath Commissioner, Kali Ch. Hansdah, A.R-cum-Addl. Stamp Reporter & Oath Commissioner, Nabin Kumar Parida, A.R-cum-Addl. Stamp Reporter & Oath Commissioner and Pitabas Das, Asst. Registrar (Judl.).



Secretarial Officers of the High Court of Orissa

Sitting from left to right - Arun Kumar Mishra, ADR-cum-Addl. Principal Secretary, Ashok Kumar Behera, ADR-cum-Addl. Principal Secretary, Ashish Kumar Kar, ADR-cum-Addl. Principal Secretary, Anand Dash, Addl. Registrar-cum-Principal Secretary, Gayadhar Samal, Joint Registrar-cum-Principal Secretary, Samir Kumar Parida, ADR-cum-Addl. Principal Secretary and Krushna Chandra Bisoi, AR-cum-Senior Secretary.

Standing from left to right - Chittaranjan Biswal, AR-cum-Senior Secretary, Alok Ranjan Sethy, AR-cum-Senior Secretary, Bhabagrahi Jhankar, AR-cum-Senior Secretary, Ranjan Kumar Sethi, AR-cum-Senior Secretary and Sasanka Sekhar Satapathy, AR-cum-Senior Secretary.


```

graph TD
    RG[Registrar General] --> RA[Registrar (Admn.)]
    RG --> RV[Registrar (Vigilance)]
    RG --> RJ[Registrar (Judicial)]
    RG --> RI[Registrar (Inspection)]
    RG --> RO[OSD (Vigilance)]
    RG --> MS[Member Secretary SCMS]
    RG --> SJ[Secretary JJC]
    RG --> RR[Registrar (Records)]
    RG --> CA[Coordinator, Arbitration Centre]
    RG --> DR[Deputy Registrar (Protocol)]
    RA --> SPOA[Spl. Officer (Admn.)]
    SPOA --> CPC[Central Project Coordinator]
    CPC --> OS[Officers & Staff under e-Court Services]
    OS --> GA[Group-A (Senior System Officer)]
    OS --> GB[Group-B (System Officer, System Assistant)]
    RV --> SPOV[Spl. Officer (Admn.)]
    SPOV --> CPC
    RJ --> SPOJ[Spl. Officer (Spl. Cell)]
    SPOJ --> DRJ[Deputy Registrar (Judicial)]
    DRJ --> ARJ[Asst. Registrar (Admn.)]
    ARJ --> G4[Group-D: Orderly & Office Peon, Farash, Night Watchman, Mali, Gate Keeper, Permanent Mulia, Sweeper, Sweeper-cum-Farash and Class-IV]
    RI --> SPOI[Spl. Officer (Spl. Cell)]
    SPOI --> DRJ
    DRJ --> ARJ
    ARJ --> G4
    RO --> SPOV
    SPOV --> CPC
    MS --> SPOA
    SPOA --> CPC
    SJ --> SPOA
    SPOA --> CPC
    RR --> DRR[Deputy Registrar Records]
    DRR --> ARR[Asst. Registrar (Protocol)]
    CA --> ACC[Addl. Coordinator]
    DR --> ARD[Asst. Registrar (Protocol)]
    ARD --> G3[Group-3: Sr. Gr. Typist, Sr. Gr. Diarist, Sr. Driver, Technical Assistant (Library), General Operator, Jr. Gr. Typist/DEO, Diarist, Copyist, Driver, Treasury Sarkar, Zamadar, Duftary, Attender, Cook-cum-Caretaker, Mali-cum-Chowkidar]
    G3 --> G2[Group-2: Superintendent, Section Officer, Section Officer (Translation Branch, System Analyst, Superintendent of Typist Level-I, Statistical Officer, Assistant Section Officer, Peripatetic Stamp Reporter, Superintendent of Typist Level-II, Translator, Judicial Indexer, Librarian, Programmer, Head Driver)]
    G2 --> G1[Group-1: Addl. Registrar (Estt.), Joint Registrar (Judicial), Joint Registrar (Establishment), Additional Deputy Registrar (Judicial & Establishment), Assistant Registrar (Judicial & Establishment), Assistant Registrar (Judicial), Establishment Officer, Stamp Reporter & Oath Commissioner, Addl. Stamp Reporter & Oath Commissioner, Court Officer-cum-Assistant Registrar]
  
```

The organizational chart of the Registrar General's Office is structured as follows:

- Registrar General**
 - Registrar (Admn.)**
 - Spl. Officer (Admn.)**
 - Central Project Coordinator**
 - Officers & Staff under e-Court Services**
 - Group-A (Senior System Officer)**
 - Group-B (System Officer, System Assistant)**
 - Registrar (Vigilance)**
 - Spl. Officer (Admn.)**
 - Central Project Coordinator**
 - Registrar (Judicial)**
 - Spl. Officer (Spl. Cell)**
 - Deputy Registrar (Judicial)**
 - Asst. Registrar (Admn.)**
 - Group-D: Orderly & Office Peon, Farash, Night Watchman, Mali, Gate Keeper, Permanent Mulia, Sweeper, Sweeper-cum-Farash and Class-IV**
 - Registrar (Inspection)**
 - Spl. Officer (Spl. Cell)**
 - Deputy Registrar (Judicial)**
 - Asst. Registrar (Admn.)**
 - Group-D: Orderly & Office Peon, Farash, Night Watchman, Mali, Gate Keeper, Permanent Mulia, Sweeper, Sweeper-cum-Farash and Class-IV**
 - OSD (Vigilance)**
 - Spl. Officer (Admn.)**
 - Central Project Coordinator**
 - Member Secretary SCMS**
 - Spl. Officer (Admn.)**
 - Central Project Coordinator**
 - Secretary JJC**
 - Spl. Officer (Admn.)**
 - Central Project Coordinator**
 - Registrar (Records)**
 - Deputy Registrar Records**
 - Asst. Registrar (Protocol)**
 - Coordinator, Arbitration Centre**
 - Addl. Coordinator**
 - Deputy Registrar (Protocol)**
 - Asst. Registrar (Protocol)**

Incumbency of Judicial Officers in the Registry during 2023

Sl. No.	Name of the post	Name of the officer	Tenure
1	Registrar General	Pratap Kumar Patra	For the entire year
2.	Registrar (Administration)	Akhil Kumar Paschimakabat (in-charge)	For the entire year
3	Registrar(Vigilance)	Akhil Kumar Paschimakabat	For the entire year
4	Registrar(Inspection)	Pravakar Ganthia	For the entire year
5	Registrar(Judicial)	Suman Kumar Mishra	For the entire year
6	Officer on Special Duty (Vigilance)	Santosh Kumar Dash Ray	For the entire year
7	Coordinator, Arbitration Centre	Soumyak Patra	Till 12 th December, 2023
		Satyabrata Mishra	From 12 th December, 2023 till end of the year
8	Member-Secretary, State Court Management System (SCMS)	Pravakar Ganthia (in-charge)	For the entire year
9	Secretary, Juvenile Justice Committee (JJC)	Abhilash Senapati (In-charge)	Till 25 th October, 2023
		Santosh Ku. Dash Ray (In-charge)	From 25 th October, 2023 to 30 th October, 2023
		Hara Prasad Padhy (In-charge)	From 30 th October, 2023 till end of the year
10	Registrar (Records)	Abhilash Senapati	Till 25 th October, 2023
		Santosh Ku. Dash Ray (In-charge)	From 25 th October, 2023 to 30 th October, 2023
		Hara Prasad Padhy	From 30 th October, 2023 till end of the year



Sl. No.	Name of the post	Name of the officer	Tenure
11	Special Officer (Administration)	Santosh Kumar Dash Ray (in-charge)	For the entire year
12	Deputy Registrar (Protocol)	Debasish Mohanty	For the entire year
13	Central Project Coordinator	Satya Prakash Ray Choudhury	For the entire year
14	Special Officer (Special Cell)	Chhayakanta Dash	Till 12 th December, 2023
		Soumya Sourav	From 12 th December, 2023 till end of the year
15	Deputy Registrar (Judicial)	Amaresh Nayak	For the entire year
16	Addl. Co-ordinator, Arbitration Centre	Ashish Pattanaik	For the entire year
17	Deputy Registrar (Records)	Ashish Kumar Sahoo	From 9 th May, 2023 till end of the year
18	Assistant Registrar (Administration)	Ashish Kumar Sahoo	Till 9 th May, 2023
		Jitendra Das	From 9 th May, 2023 till end of the year



Job description of Judicial Officers in the Registry

Registrar General	Oversees the work of all other officers of the Registry and handles the important matters entrusted by the Chief Justice;
	Represents the High Court in administrative and judicial matters before the Supreme Court;
	Handles the correspondences with the Supreme Court, the other High Courts, the Central Government, the State Government and the other authorities;
	Guides the Deputy Registrar (Protocol) in protocol matters.
Registrar (Vigilance)	Deals with allegations and enquiries against Judicial Officers as well as the staff of the District Judiciary;
	Deals with matters relating to the infrastructure of the district judiciary, in respect of which he coordinates with the concerned committee constituted by the Chief Justice as well as with the District Courts and the executing agencies like PWD;
	Deals with the matters relating to rules of procedure applicable to the District Judiciary.
Registrar (Judicial)	Discharges the functions assigned to him in the High Court Rules;
	Deals with matters relating to budget and accounts, buildings and vehicles of the High Court;
	Deals with the matters relating to service of the employees of the High Court;
	Coordinates and sends replies to questions relating to the High Court raised in the Parliament and State Legislative Assembly;
	Supervise the Administrative and Judicial Sections of the High Court function under his supervision;
	Also deals with the matters relating to framing of rules governing procedures meant for the High Court.
Registrar (Administration)	Deals with matters relating to the District Judiciary and Judicial Officers except allegations, enquiries, buildings and statistics;
	Places before the Committee the appeals filed by staff of the District Judiciary against orders passed in administrative side in matters concerning their service;
	Looks after matters relating to the District Judges' Conference;
	Coordinates and sends replies to Parliament questions and Assembly questions with regard to District Judiciary;
	Deals with the budget, the allotment of funds and the accounts relating to District Judiciary.



Registrar (Inspection)	Coordinates the inspection of Civil and Criminal Courts of District Judiciary by the Chief Justice and Judges;
	Looks after compilation of statements and returns received by the Statistics section of the High Court from District Judiciary;
	Is designated as the COVID Compliance Officer and looking after the COVID Care Centres of the High Court meant for the Judges, the Officers and Staff;
	Is designated by the Chief Justice as Nodal Officer for Digitization of Records.
Coordinator, Arbitration Centre	Supervises the functioning of the Arbitration Centre and Mediation Centre of the High Court;
	Coordinates the sittings of Arbitrators and Mediators for Arbitration and Mediation proceedings;
	Is In-charge of the Judges' Library, discharges the functions of the Secretary, High Court Legal Services Committee.
Officer on Special Duty (Vigilance)	Assists the Registrar (Vigilance) in matters relating to allegations and enquiries;
	Deals with the files regarding sanction of leave of the Judicial Officers;
	Is designated as Registrar (Examination) for dealing with examinations relating to recruitment to posts of the various cadres of the High Court.
Secretary, Juvenile Justice Committee	Assists the High Court Juvenile Justice Committee (HCJJC);
	Provides information on issues pertaining to children and issues communications on behalf of the HCJJC to concerned departments;
	Organizes conferences, seminars and consultations on the direction of HCJJC, drafts its agenda, prepares minutes and coordinates with the concerned departments;
	Maintains necessary information which may be relevant for HCJJC for its robust functioning.
Member Secretary, State Court Management System	Deals with preparation of vision document for the High Court and the District Courts and preparation of action plan for disposal of old cases.
	Places information about the District Court Management Systems before the SCMS Committee constituted for the purpose and ensures implementation of the policies formulated from time to time.
Registrar (Records)	Oversees the functioning of RRDC including movement of legacy records to Record Rooms, digitization and verification of legacy records and shredding of digitized records;
	Oversees functioning of the District Court Digitization Hubs (DCDHs);
	Oversees the judicial history project in coordination with Centre for Judicial Archives of Odisha and the other libraries and archives;
	Oversees the High Court Museum.



Central Project Coordinator	Looks after computerization of offices in the High Court and the District Judiciary under e-Courts Project;
	Oversees the digitization of records and e-filing of the cases;
	Oversees the functions of virtual hearing in the High Court and the District Courts;
	Provides technical assistance for the functioning of the High Court and District Courts.
Special Officer (Administration)	Oversees the functioning of Appointment Section of the Court which deals with matters relating to service of the Judicial Officers;
	Works under the supervision of Registrar (Administration) and assists in matters relating to District Judges' Conference;
	Assists Registrar (Judicial) in matters concerning appointment of the Law Reporter and in-service matters of the Gazetted officers of the Ministerial and Secretarial cadres in the Registry.
Special Officer (Special Cell)	Oversees the preparation of the budget and accounts and deals with the service matters of the Gazetted and Non-gazetted employees of the High Court, except the Ministerial Officers;
	Looks after matters relating to the Rules, General Rules, Circulars and orders of the High Court relating to the practice and procedure of the District Judiciary;
	Issues General letters, circulars and other instructions of general nature on behalf of the High Court.
Deputy Registrar (Judicial)	Discharges judicial functions delegated by the Registrar (Judicial) in accordance with Rule-2 of Chapter-V of the Rules of the High Court of Orissa, 1948 subject to the orders of the Chief Justice;
	Oversees the work of sections in Judicial Department of the High Court including the filing section and the listing section;
	Oversees preparation of the Cause Lists for Benches of the High Court according to the roster of assignment decided by the Chief Justice.
Deputy Registrar (Protocol)	Coordinates the tours and visits of the Chief Justice and Judges of the High Court of Orissa within and outside the State;
	Coordinates the tours and visits to Odisha of the Chief Justices and Judges of other High Courts as well as of the Supreme Court to Odisha;
	Coordinates with the State Government and the Police authorities in the matter of security of the High Court premises and the bungalows of the Chief Justice and the Judges apart from their security during tours;
	Deals with telephone connections of the High Court building and residential buildings of the Court.
Deputy Registrar (Records)	Assists the Registrar, Records in supervision of functioning of RRDC and Museum of Justice.
	Keeps track of the activities in the District Court Digitization Hubs.
	Assists the Registrar (Judicial) of the Court in supervision of the infrastructures of the High Court establishment.



Additional Coordinator, Arbitration Centre	Deals with the matters relating to Arbitration and Mediation Centre;
	Deals with Appeals filed by the staff of the District Judiciary against orders passed on administrative side in matters concerning their service;
	Sends replies to questions relating to the High Court raised in the Parliament and the State Legislative Assembly;
	Deals with matters relating to buildings of District Judiciary and such other matters as are entrusted to him by the Chief Justice;
	Is designated as Nodal Officer for records received from the State Administrative Tribunal after its abolition
Assistant Registrar (Administration)	Is in-charge of matters relating to buildings of the High Court, Court Guest House at Cuttack, Community Centre and the High Court Museum;
	Looks after the Class-IV establishment, matters relating to the vehicles, stock and stores of the High Court.

The sanctioned strength, present sanctioned strength, working strength and vacancy of the posts presently coming under all Group cadres are indicated in **Appendix-I**.

Overall Staff Strength of the High Court

Group A		Sanctioned 60	
		Working 54	
Group B (Gazetted)	Sanctioned 264	Group B (Non-Gazetted)	Sanctioned 658
	Working 227		Working 440
Group C	Sanctioned 409	Group D	Sanctioned 270
	Working 285		Working 80

Infrastructure

Foundation stone for the new building of Centre for Judicial Archives of Odisha laid by Shri Naveen Patnaik, Chief Minister and Justice Vineet Saran, Former Judge, Supreme Court of India

In 2021, after establishment of Record Room Digitization Centre (RRDC) when preservation of old case records was taken up, documents dating back to the early 19th century containing information on the functioning of the erstwhile judicial system were discovered. This led to conception of an idea of having a project for documenting the Judicial History of Odisha. In March, 2022, the Chief Justice put forth a proposal before the Chief Minister for support of the State Government in establishment of a Centre for Judicial Archives and support for the judicial history project which was accepted by the Chief Minister. Within a month the Centre for Judicial Archives came into existence by a Notification dated 1st May, 2022, of the Home Department, Government of Odisha. Since then the Centre has been functioning in RRDC.

Thereafter, the State Government provided land of Ac.1.884 decimals in Sector-1, C.D.A. near the RRDC for construction of a new building for the Centre. On 28th January 2023, foundation stone was laid by Shri Naveen Patnaik, Chief Minister of Odisha for a new building of the Centre in presence of Justice Vineet Saran, former Judge, Supreme Court of India and former Chief Justice of High Court of Orissa, Dr. S. Muralidhar, the then Chief Justice and the sitting and former Judges of High Court of Orissa. The estimated cost of the four storied building is Rs.34,89,55,743/-. Construction of the building is presently going on and expected to be completed by June, 2024. The building will have provisions of quarantine rooms for records, conservation laboratories, library, research room, archive stores, conference room and exhibition area.



The Chief Minister laying foundation stone for Centre for Judicial Archives

On the occasion of laying the foundation stone the Chief Minister said, the Centre would be immensely beneficial to the historians and legal luminaries for meaningful reconstruction of

history and provide access to research scholars and public and would also stimulate academic activities through symposiums and seminars.

Foundation Stone for High Court Employees' Residential Complex laid by Shri Naveen Patnaik, Chief Minister and Justice Vineet Saran, Former Judge, Supreme Court of India

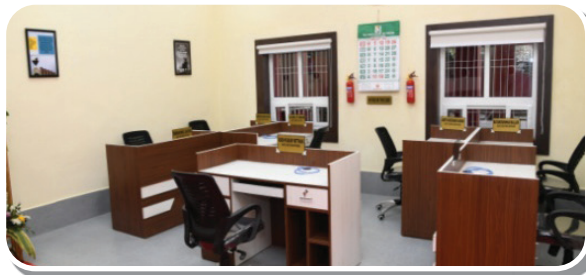
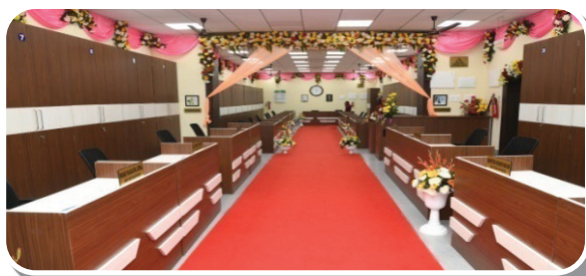
The residential complex for High Court employees was a long standing demand as the employees have been facing difficulty due to inadequate staff quarters as compared to staff strength. On the request of the High Court, the State Government made available a land of 10 acres at Sector-13, C.D.A., Cuttack for construction of a residential complex for the High Court employees. On 28th January, 2023, the Chief Minister laid foundation stone of this

project along with the project of Centre for Judicial Archives. The proposed complex will have 200 D-type flats and 350 E-type flats in 12 towers with amenities like community centre, sports centre, plantation, children's park, lawn etc. The estimated cost of the residential complex is Rs.284,29,02,000/-. The construction will begin shortly and is expected to be completed in 2 years.

Refurbished Copying and List Section

The List Section was not spacious enough in old building. After vacation of the ground floor of the old building by the office of the Advocate General, the same was refurbished to accommodate the list and copying section with adequate space. The copying section has been designed to provide hassle free access

to the advocates and litigants as well. On 24th February 2023, Dr. Justice S. Muralidhar, Chief Justice along with the members of the High Court Building Committee inaugurated refurbished List and Copying Sections in the ground floor of the Heritage Building in presence of the Judges of the High Court.



Refurbished Copying and List Section

Museum of Justice

A museum of the High Court had been set up in the old residence of the Chief Justice in 2017 within the Barabati Fort, Cuttack. Subsequently, a decision was taken to refurbish it. On 25th February, 2023, the refurbished Museum of Justice inside the Barabati Quila, Cuttack was inaugurated by Professor Ganeshi Lal, Governor of Odisha in the presence of Dr. Justice S. Muralidhar, Chief Justice, the Judges of the High Court of Orissa, eminent historians and the students of law and history.

The Record Rooms of the High Court and District Courts containing old records dating back to 19th Century were the real trigger behind the thought to rejuvenate the High Court Museum as the Museum of Justice. The idea was to showcase the stories of freedom fighters, famous personalities and events which lay hidden in these records and to present before the public the evolution of legal system of Odisha.

One theme pavilion and seven galleries have been set up in the Museum of Justice apart from a library and a souvenir shop. Besides, there will be an audio visual room. Refurbishment of the Museum was done in collaboration with INTACH.

Besides expanding the concept and contents of the Museum, the peripheral area has been developed and landscaped by the Cuttack Municipal Corporation and the Roads & Buildings Division, Works Department, Government of Odisha.

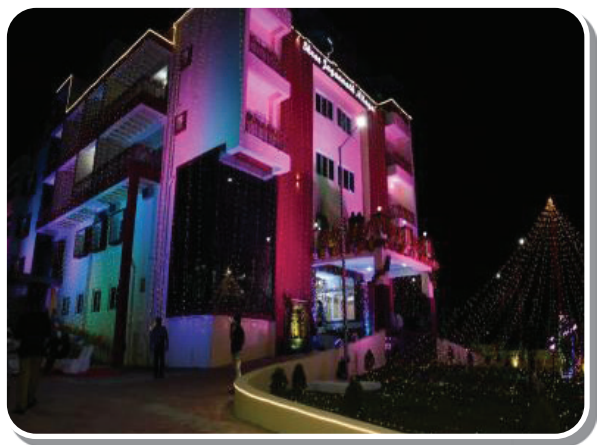
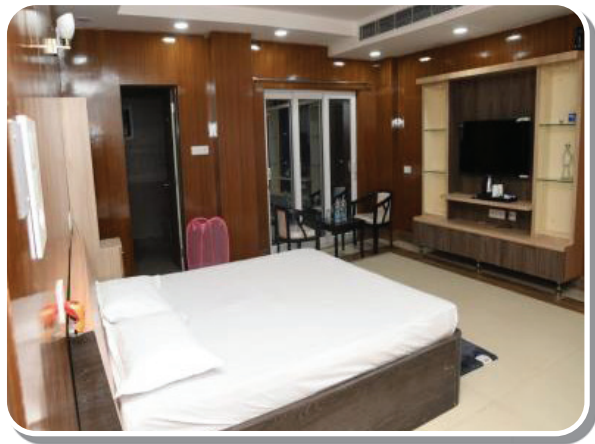
Apart from artefacts and documents of historical importance related to the Judiciary, a virtual walk through of the High Court is displayed in the Museum. Besides, a miniature model of the High Court is exhibited and century old records are digitally displayed to make visitors more educative and attractive towards the Museum of Justice.



Inauguration of the High Court Guest House at Puri

On 30th March 2023, the new High Court Guest House Building at Puri was inaugurated by Dr. Justice S. Muralidhar, Chief Justice in presence of the companion Judges of High Court of Orissa. The need to have a new guest house was felt as the old guest house having

insufficient suits suffered severe damage during the devastating cyclone “FANI”. Thus, the new building with 28 suites and rooms was constructed at the same site at Puri with cost of Rs.20,51,27,000/-.

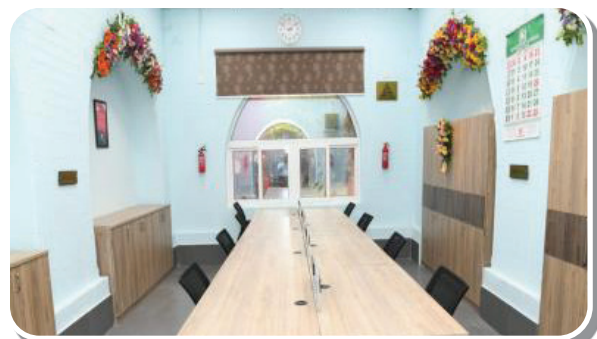


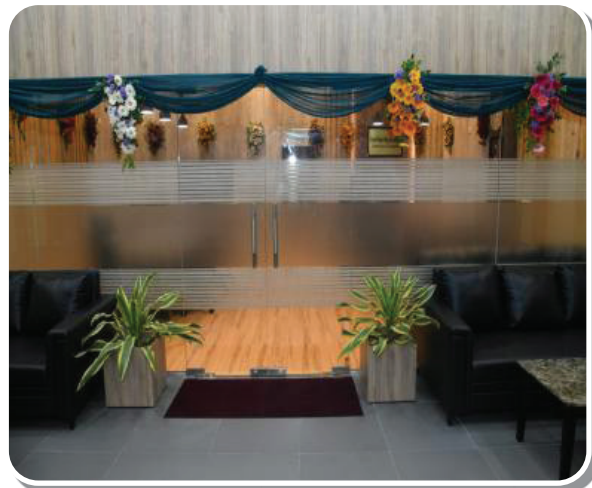
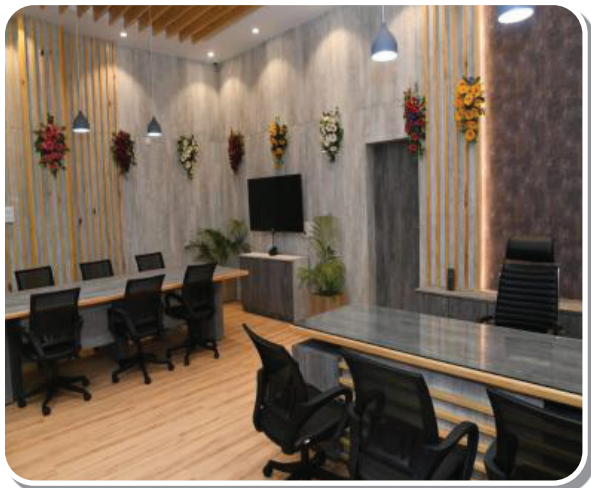
Shree Jagannath Nilaya (High Court Guest House at Puri)

New IT Cell

The erstwhile Computer Section, though renovated in its earlier place, did not have enough space after recruitment of new Assistant Section Officers. Hence, after shifting of the Arbitration Centre from the High Court premises, it was decided to use the

said complex as IT Cell to accommodate all the wings of the computer section under one roof. On 21st July 2023, Dr. Justice S. Muralidhar, Chief Justice along with the members of the building committee inaugurated new IT Cell in the ground floor of the old building.





IT Cell

Law Reporter Section

The I.L.R. (Cuttack series) is the official law journal of this Court being published every month and the duty of law reporter section is to prepare the manuscript for error free publication and distribution. The section was running without having store room for keeping journal in every month. The space was inadequate for effective functioning of the section. Therefore, it was decided to shift the

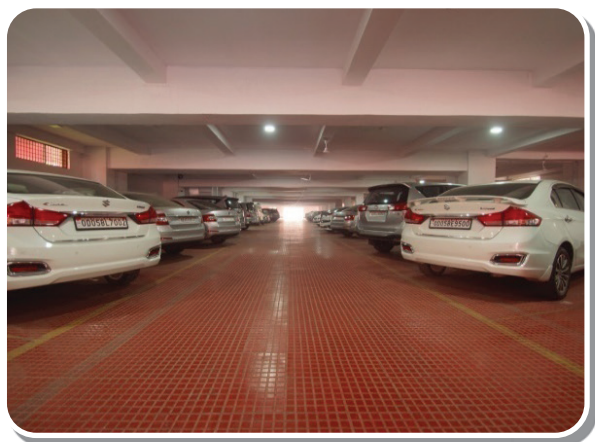
law reporter section to a newly constructed room adjacent to copying section having sufficient space for keeping journals. On 6th August 2023, Dr. Justice S. Muralidhar, Chief Justice, High Court of Orissa inaugurated the renovated Law Reporter Section in the presence of Justice Subhasis Talapatra, Chief Justice - Designate and other Companion Judges of the High Court of Orissa.



Construction of Covered Parking

On 23rd August, 2023, Hon'ble Mr. Justice Subhasis Talapatra, Chief Justice, High Court of Orissa inaugurated the newly constructed Covered Parking of the High Court of Orissa in the presence Hon'ble Companion Judges of the High Court of Orissa. The covered parking has been constructed in front of the portico

of Court's new building having 20,000 square feet area to accommodate near about 60 four wheelers and 250 two wheelers. Besides, roof top of the covered parking is used for holding official meeting and functions. The cost of the project was Rs.4,02,51,806/-.



Expansion building of administrative block

In order to obviate the problem of congestion in different sections of the Court, an expansion building of Administrative block (G+5) has been constructed. The building was inaugurated on 23rd August, 2023, by Hon'ble Mr. Justice Subhasis Talapatra, Chief Justice, in presence of the Companion Judges of the High Court

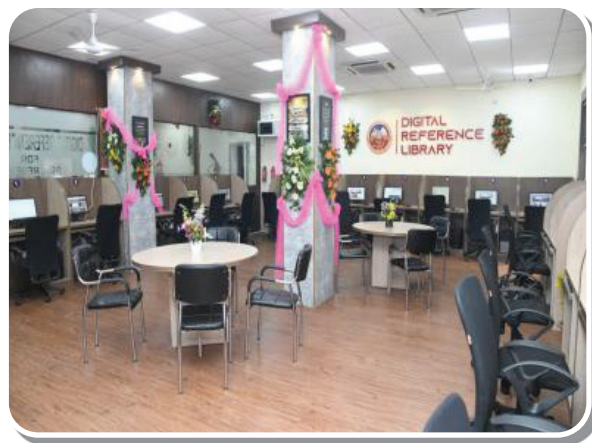
of Orissa. All sorts of modern facilities with work station, comfortable chairs, cupboards and storage cabinets have been provided in the expansion building to create a congenial working atmosphere. The cost of the project was Rs.1,79,79,310/-.



Digital Reference Library

The idea of setting up a digital reference library is to provide hassle-free access of selected journals to advocates, staff and officers of the Court. On 22nd September, 2023, Hon'ble Shri Justice Subhasis Talapatra, Chief Justice, High

Court of Orissa along with the members of the Building Committee, AI & IT Committee and Library Committee inaugurated Digital Reference Library in the first floor of the second extension building.



Digital reference library

Refurbished High Court Dispensary

The High Court dispensary was functioning in the ground floor of the Administrative Block. There was paucity of space to accommodate newly appointed doctors and staff. Besides, the dispensary is required to be modernised. Accordingly, after expansion of administrative

block, an idea conceived for renovation and augmentation of dispensary with its allied organs. On 18th October, 2023, Hon'ble Dr. Justice B.R. Sarangi, the then Acting Chief Justice inaugurated refurbished High Court Dispensary in presence of other Hon'ble Judges.



Refurbished High Court Dispensary

New office of Orissa High Court Employees' Association

An office is essential for employees association to promote good relation between staff so also for effective implementation of condition of service rules. Hence, after shifting of the erstwhile Roneo section from the ground floor of police barrack, it was decided to use

the said room as office of the Orissa High Court employees association. Therefore on 6th November, 2023, it was inaugurated by Hon'ble Dr. Justice B.R. Sarangi, the then Acting Chief Justice, in presence of the Hon'ble Companion Judges of the High Court of Orissa.



Inauguration of office of employees' association



Office bearers of employees association with Hon'ble Dr. Justice B.R Sarangi, the then acting Chief justice and Hon'ble Judges

Refurbished Protocol Section and Vehicle Section

Protocol and vehicle sections were functioning in two different buildings of the Court in congested manner though connected with each other. In order to give the staff a superior working environment and to get a better productivity, both the sections were shifted

together to ground floor of the Court's new building with all kinds of modern facilities. On 4th December, 2023, Hon'ble Dr. Justice B.R. Sarangi, the then Acting Chief Justice, High Court of Orissa inaugurated the refurbished Protocol and vehicle section of the Court.



Refurbished Protocol Section and Vehicle Section



ICT Initiatives

TECHNOLOGICAL ACCOMPLISHMENTS

1. Paperless Courts In District Court Complexes

- a. India has a multilevel court system with high backlog of cases in courts. Cumbersome paperwork in the courts is one of the important reasons of delay in disposal of cases. Documents, pleadings, court fees, miscellaneous petitions and memos are filed physically, and some of them in duplicate. With the passing of the years, the case file accumulates with the petitions, memos, documents and their copies, citations of case laws etc. making it difficult to organize and requires more manpower and storage space. Due to the frequent handling of documents, they are also prone to damage and being misplaced. Moreover, the handwritten order sheets and depositions fade away with passage of time making them illegible and hard to decipher.
- b. In appeals, case files become more voluminous with the addition of the lower Court's records and much time is lost in requisitioning the lower Court's records by the Appellate Courts. During the hearing, a judge and the court staff painstakingly deal with these voluminous records. Be it the disposed of cases or the pending cases, to keep the case files safely is a costly and cumbersome process. These practices result in billions of sheets of paper being wasted each year when efforts are being made in every sphere to preserve water and trees and to reduce the carbon footprint.
- c. With the integration of technology in the court work management, the concept of "paperless courts" has been envisioned to address these issues and to provide speedy justice. A paperless court, as the name suggests, is a court that functions without the physical records, where judges rely on digitized court records and use technology for facilitating the court proceedings. A paperless court strives to modernize the work process of the judiciary by eliminating the need for physical records and the inherent liabilities associated with storage congestion, risk of misplacing, and retrieving documents. In a traditional court, case information is available to a judge through a case information system, but in a paperless court the entire case record is available to a judge in a portable device, making it convenient to access the relevant part of the record without browsing through the entire file, thereby saving time and making the workflow more efficient. It also reduces work pressure on court staff from organizing the record chronologically.

The concept of paperless court also strives to lessen the amount of time consumed for obtaining copies of the documents as the physical movement of the case file is not required for the said purpose.

- d. The transition from a traditional court to paperless court not only depends on digitization of existing case records but also adopting e-filing of new cases. The process of digitisation involves sending of case records as per cause list, pre- scanning procedure, scanning of case records, quality check of scanned pages, meta data entry, book marking of scanned pages under different heads for easy access and finally the integration of the scanned records with the cause list. The Courts in Odisha have adopted e-filing 3.0. The litigants and advocates can file the cases through e-filing 3.0 and the said cases shall be directly consumed by the Courts thereby obviating the need of physical filing. The e-filing module has integrated the payment of e-court fees which is not only economical but also environment friendly.
- e. There is also provision for serving summons through email to the defendants. The pre-trial procedures can be accelerated by utilizing the aforesaid paperless modes. Similarly, during trial the depositions of witnesses can be recorded in paperless mode and their signatures can be obtained digitally obviating the requirement of paper depositions. In paperless Courts

it is very convenient for judges to have easy access to the bulky case records which are segregated in different parts and the relevant portions are available with a click on the book mark. The touch screen devices enable the judges to take down notes and highlight portions of the pleadings and evidence found to be relevant during the course of arguments which are of tremendous use while preparing orders/judgments.

The objectives of introduction of paperless courts are:

1. A transparent and speedy justice delivery system.
2. An easier file storage retrieval and movement system.
3. Instantaneous access to voluminous records and preparation of notes at the time of argument.
4. Faster mode for obtaining copies of orders and judgments.
5. Lastly, reducing wastage of millions of sheets of paper.

Paperless Courts in the Sub-ordinate Judiciary had started functioning during the year 2022 with introduction of the System in 34 Courts in various Judgeships under Phase-I.

The Paperless Courts System in Odisha saw exponential growth during the year 2023 with 212 numbers of Sub-ordinate Courts across all Judgeships of the State becoming Paperless Courts, thereby bringing the total count to 246 Paperless Courts in the Sub-ordinate Judiciary as on 31st Dec, 2023. The inauguration of 212 Paperless Courts during 2023 was carried out phase-wise as detailed hereunder:



PHASES DURING 2023	DATE OF INAUGURATION	NUMBER OF PAPERLESS COURTS INAUGURATED
Phase-II	03.07.2023	50
Phase-III	01.08.2023	57
Phase-IV	30.09.2023	25
Phase-V	31.10.2023	40
Phase-VI	30.11.2023	20
Phase-VII	22.12.2023	20
TOTAL (during 2023)		212
GRAND TOTAL (incl. 34 Courts inaugurated under Phase-I in 2022) = 246		

The concept of paperless court has been successfully implemented in the Supreme Court and different High Courts including the

High Court of Orissa. However, launching of paperless courts in all the districts in Odisha is a first in the country.

2. Paperless Benches in High Court of Orissa

- Taking the relevant aspects of paperless mode of functioning into consideration, the Hon'ble Court have commenced the system of Paperless Courts since 11.09.2021 when the Court of Hon'ble the Chief Justice was inaugurated as the 1st and only Paperless Court in the High of Orissa.
- In due course, more and more number of Benches of the High Court have gone paperless. By the end of 2023, a total of 15 Benches have adopted the Paperless Court System. Hence, at present more than fifty percent of the total strength of Hon'ble Judges of the Court are functioning in paperless mode with scope for extension to all the benches of the Hon'ble Court.

3. Scanning & Digitization of Legacy Records of the High Court of Orissa at Record Room Digitization Centre (RRDC).

- The state-of-the-art Record Room Digitization Centre (RRDC) of the High Court of Orissa was established and subsequently inaugurated on 11.09.2021 by Hon'ble Justice D.Y. Chandrachud, Judge, Supreme Court of India and Chairperson, e-Committee. The Centre is considered to be an innovative and pioneering project in the country in the field of judicial record keeping and digitization.
- Ever since its inception, the RRDC has facilitated tremendous progress in digitizing the legacy records of the Court. As on 31.12.2023, a total of 9,61,490 number of case records amounting to 3,02,31,314 number of pages have been digitized (i.e., uploaded to Server) out of which 8,49,604 number of case records have already been shredded after following applicable Rules and Guidelines.



The statistical snapshot of the work completed at RRDC as on 31.12.2023 is as hereunder:
CUMULATIVE STATUS REPORT OF SCANNING & DIGITIZATION AT R.R.D.C. (as on 31.12.2023)

NATURE OF SCANNED CASE RECORDS	NUMBER OF CASE RECORDS RECEIVED FROM RECORD ROOM	NUMBER OF CASE RECORDS SCANNED	NUMBER OF PAGES SCANNED	NUMBER OF CASE RECORDS VERIFIED WITHOUT ERROR	TOTAL NUMBER OF PAGES VERIFIED WITHOUT ERROR	NUMBER OF CASE RECORDS UPLOADED IN THE SERVER	NUMBER OF PAGES UPLOADED IN THE SERVER	NUMBER OF CASE RECORDS RETURNED TO RECORD ROOM AFTER UPLOADING	NUMBER OF RECORDS SHREDDED
CIVIL	3,61,482	3,60,843	3,04,53,446	4,74,592*	2,13,29,658	4,13,563	1,85,34,082	3,46,309	3,52,468
CRIMINAL	6,01,987	6,00,448	2,11,96,276	5,99,065	1,28,64,984	5,47,927	1,16,97,232	5,90,983	4,97,136
G. TOTAL	9,63,469	9,61,291	5,16,49,722	10,73,657*	3,41,94,642	9,61,490	3,02,31,314	9,37,292	8,49,604

* - includes some case records scanned earlier

The Record Room Digitization Centre (RRDC) was inaugurated on 11.09.2021

4. Scanning & Digitization in the District Court Digitization Hubs (DCDHs)

A total of 14 numbers of District Court Digitization Hubs (DCDHs) were established and inaugurated during 2021 and 2022 with a vision to digitize the legacy records of all 30 Judgeships of Odisha. In due course of time, these Hubs have gained rapid pace towards digitizing the District Record Rooms across the State. However, it was only during the year

2023 when a DCDH actually undertaking the responsibility of digitizing the legacy records of a neighbouring Judgeship was witnessed. Some of these Hubs, after completing the digitization of their own District Record Room, have already commenced digitization of other Judgeships as detailed hereunder.

NAME OF JUDGESHIP	D.C.D.H. SERVING THE JUDGESHIP	DATE OF COMMENCEMENT OF DIGITIZATION
Deogarh	DCDH, Sambalpur	21.02.2023
Gajapati	DCDH, Ganjam at Berhampur	17.03.2023
Bargarh	DCDH, Sambalpur	24.07.2023
Jagatsinghpur	DCDH, Cuttack	18.10.2023

DCDH, Cuttack is scheduled to digitize Puri Judgeship soon after case records of Jagatsinghpur are digitized. However, the Hon'ble Court have decided to establish a new Digitization Centre at Bhubaneswar to cater to the digitization needs of Khordha Judgeship, instead of carrying out such works at DCDH, Cuttack as planned earlier. It has

been decided to establish the said Digitization Centre in a portion of the existing Old Court Building at Bhubaneswar soon after the New Court Building is inaugurated.

As on 31.12.2023, the following digitization works have been completed in the 14 DCDHs across the State as indicated hereunder:



CUMULATIVE STATUS REPORT OF SCANNING & DIGITIZATION -
18 JUDGESHIP IN 14 DISTRICT COURT DIGITIZATION HUBS/CENTRES (as on 31.12.2023)

NAME OF THE JUDGESHIP/ D.C.D.H.	NUMBER OF CASE RECORDS RECEIVED FROM RECORD ROOM	NUMBER OF CASE RECORDS SCANNED	NUMBER OF PAGES SCANNED	NUMBER OF CASE RECORDS VERIFIED WITHOUT ERROR	TOTAL NUMBER OF PAGES VERIFIED WITHOUT ERROR	NUMBER OF CASE RECORDS UPLOADED IN THE SERVER	NUMBER OF PAGES UPLOADED IN THE SERVER	NUMBER OF CASE RECORDS RETURNED TO RECORD ROOM
ANGUL	1,70,100	1,70,100	99,68,412	63,262	43,29,277	17,211	6,84,457	43,920
BALASORE	2,43,458	2,43,437	2,30,52,089	2,41,957	1,44,92,959	2,41,033	1,43,03,564	2,41,957
BARGARH at DCDH, Sambalpur	13,134	13,134	12,24,799	6,192	9,83,112	0	0	4,819
BHADRAK	1,38,601	1,38,601	87,82,033	29,697	19,79,201	21,177	11,27,687	1,331
CUTTACK	3,23,856	3,22,609	2,50,77,717	3,10,606	1,73,60,281	2,78,187	1,39,15,521	3,07,730
DEOGARH at DCDH, Sambalpur	14,156	14,156	6,73,976	14,148	6,54,898	0	0	14,141
GAJAPATI at DCDH, Ganjam	68,431	68,431	35,97,063	68,220	27,82,178	0	0	68,220
GANJAM	2,27,593	2,27,593	1,94,42,239	2,24,387	1,51,06,219	2,15,633	1,46,33,543	2,24,387
JAGATSINGHPUR at DCDH, Cuttack	40,062	37,701	18,23,582	0	0	0	0	0
JHARSUGUDA	72,090	82,492	61,94,722	26,753	25,57,213	1,711	4,54,185	22,287
KALAHANDI	64,539	64,086	78,62,074	32,331	21,38,360	10,654	5,36,869	24,210
KEONJHAR	64,928	64,928	58,42,482	25,074	29,75,778	12,129	10,22,051	15,758
KORAPUT	1,05,564	99,123	78,45,163	30,109	22,29,424	5,356	5,50,159	5,022
MALKANGIRI	39,424	38,641	36,12,947	36,367	23,37,149	1,809	1,16,533	35,222
MAYURBHANJ	1,11,810	1,10,923	1,27,78,199	17,322	38,11,079	2,269	1,15,193	9,583
NAYAGARH	92,350	85,788	67,34,781	56,583	24,99,636	332	11,775	0
SAMBALPUR	1,19,806	1,19,766	1,40,67,354	1,11,458	97,33,540	1,06,205	95,18,342	1,11,458
SONEPUR	59,617	59,617	70,85,720	46,722	34,27,729	9,565	6,33,642	40,339
GRAND TOTAL	19,69,549	19,61,126	16,56,65,652	13,71,188	8,94,01,033	9,23,271	5,79,53,521	11,70,384

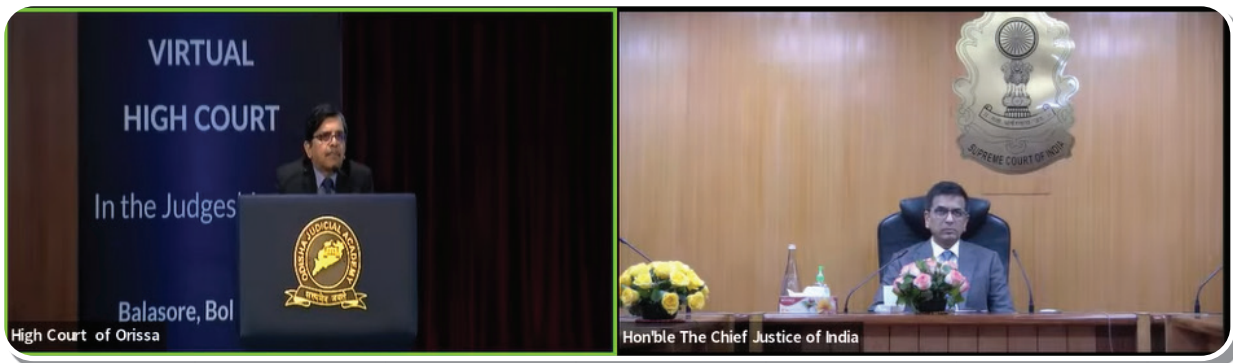


5. Virtual Centres of the High Court in 29 Judgeships

Proposal for Virtual Centres of the High Court in the Districts was placed before the Supreme Court of India on judicial side and was approved by the Supreme Court in order dated 14th December, 2022 in TP(C) No.2419 of 2019 M/s. PLR Projects Pvt. Ltd. Vrs. Mahanadi Coal Fields Ltd. and others.

Accordingly, the High Court of Orissa has established a total of 30 numbers of Virtual Centres in 29 Judgeships of the State (with the exception of Cuttack Judgeship) which were inaugurated in three different phases as follows:

PHASE OF INAUGURATION	DATE OF INAUGURATION	LOCATIONS OF VIRTUAL CENTRES OF THE HIGH COURT
Phase - I	03.02.2023	1. Balangir
		2. Balasore
		3. Bhadrak
		4. Ganjam (at Berhampur)
		5. Kalahandi (at Bhawanipatna)
		6. Khordha (at Bhubaneswar)
		7. Koraput (at Jeypore)
		8. Puri
		9. Sambalpur
		10. Sundergarh (at Rourkela)
Phase - II	27.03.2023	1. Angul
		2. Dhenkanal
		3. Jagatsinghpur
		4. Jajpur
		5. Kandhamal (at Phulbani)
		6. Kendrapara
		7. Keonjhar
		8. Mayurbhanj (at Baripada)
		9. Nayagarh
		10. Sundergarh
Phase - III	19.10.2023	1. Bargarh
		2. Boudh
		3. Deogarh
		4. Gajapati
		5. Jharsuguda
		6. Malkangiri
		7. Nabarangpur
		8. Nuapada
		9. Rayagada
		10. Sonepur



Accordingly, the High Court of Orissa has now decided to take a step forward to establish dedicated Virtual Centres in 10 of the 30 Districts in the first phase. These are at Sambalpur, Ganjam at Berhampur, Bhadrak, Kalahandi at Bhawanipatna, Khurda at Bhubaneswar, Bolangir, Koraput at Jeypore, Puri and Sundargarh at Rourkela. The choice of the first 10 Virtual Centres was dictated by

the geographical location and the volume of cases filed from the Districts in the High Court.

The Virtual Centres at Sambalpur, Bolangir, Sundergarh at Rourkela are in Western Odisha, Kalahandi at Bhawanipatna, Koraput at Jeypore and Ganjam at Berhampur in Southern Odisha, Balasore and Bhadrak in Northern Odisha, and Khurda at Bhubaneswar and Puri are in Eastern Odisha.



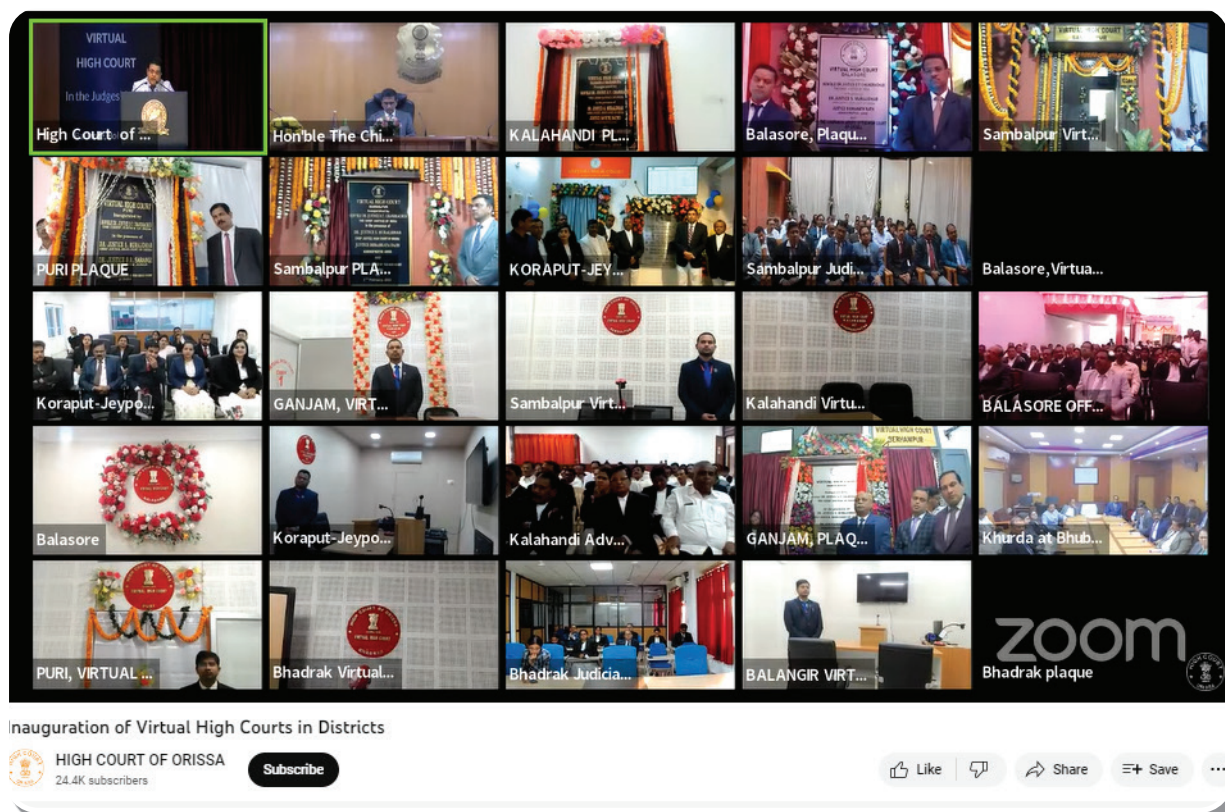
Facilities in Virtual Centres of the High Court

These Virtual Centres will have video conferencing facilities, and importantly, a 'Back Office' where it will be possible for lawyers to e-file their cases with assistance from staff/officer dedicated for that purpose. Advocates or parties in person not familiar with computers

can hand over the hard copy of the petition to the staff at the Back Office who will then scan and prepare and e-file the petition. The following services will be available through digital mode in these Virtual Centres:



- Scrutiny of e-filed cases and removal of defects;
 - Numbering of the cases
 - Listing of cases including mentioning before the High Court in virtual mode.
 - Submission of application for and issuance of certified copies of the orders and judgments.
- These facilities are in addition to and not in substitution of any of the facilities for lawyers and litigants.



Delivering the inaugural address Chief Justice of India Dr. D.Y. Chandrachud said that the Virtual Centres of the High Court in Districts will ensure decentralization of administration of justice and ensure accessibility of the High Court to the Advocates of remote Districts. He

added talent has no geographical boundaries and video conferencing facility in the Virtual Centres will give exposure to the legal talents of the smaller cities who often find it difficult to practise in the High Court due to lack of accessibility.

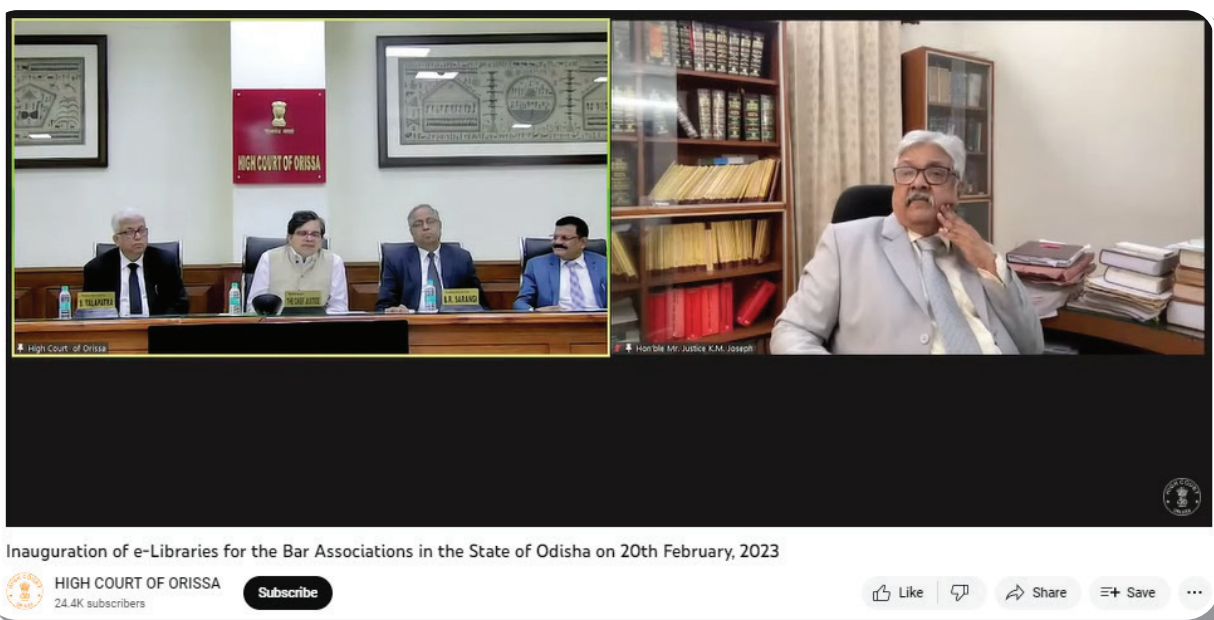
6. Inauguration of e-Libraries for the 24 Bar Associations in 24 different outlying stations in the State of Odisha

Since last two years the High Court of Orissa has been endeavouring to reach out to the people who are in need of justice. Providing e-Libraries to the Bar Associations of districts

and outlying stations is one of the many initiatives undertaken by the High Court of Orissa to strengthen the justice delivery system. e-Libraries enable the lawyers to

have access to various decisions and books readily available to them digitally. It helps in easy information retrieval. The user can easily search the desired information by using any search term. The e-Library for the lawyers is more beneficial to the young lawyers as they are relatively new to the profession and might not be having sufficient resources to subscribe to many journals and books. The digital contents can be updated without having to purchase any additional physical book. It has advantage over traditional libraries in terms of space. Digital libraries can hold much data in very little physical space. Use of digital libraries is cost effective compared to physical libraries.

Dr. S. Muralidhar, Chief Justice, High Court of Orissa highlighted the objectives of providing e-Libraries to the Bar in the Districts and outlying stations. Chief Justice said the idea is to uplift the level of the Bar across the State and to facilitate young lawyers for legal research. He said lack of means to have books would not be a constraint for legal research for young lawyers even in remote places. He added Bar is nursery to young Judges and by strengthening the Bar ultimately the judiciary will be strengthened. The Chief Justice announced that online services of AIR and Manupatrafast.in and the CD ROM version of Orissa Law Times are being provided to the e-Libraries apart from the link e-SCR of the Supreme Court of India where all the Judgments of the Supreme Court would be available.



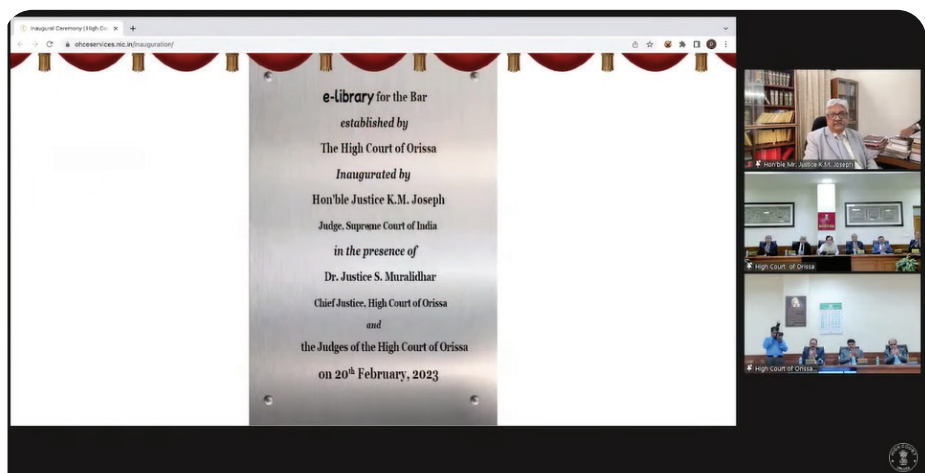
Delivering the keynote address Justice K.M. Joseph highlighted the duties involved in legal profession referring to the constitutional provisions and ethics. Justice Joseph said the Bar should be in a position to deliver on the promise of the Constitution to serve the people. He added that acquisition of a law degree is not

merely a means to earn livelihood but a humble beginning for an arduous and never ending quest of knowledge. Justice Joseph further said he considered the legal profession to be the greatest. It had the potential to make or mar the lives of countrymen. He said a lawyer is required to observe professional ethics and provide the



best possible service to the litigants for which learning is of pivotal importance. Justice Joseph said a lawyer cannot afford to be ignorant of law and rather should be a perpetual student of law. He said the people of the country have the right to expect that their lives and properties are safe in the hands of lawyers. Stressing upon the importance of language in legal profession Justice Joseph urged the young lawyers to be familiar with the judgments of the High Courts and Supreme Court and to read not only law but also literature.

On 20th February, 2023 e-Libraries for the Bar Associations of 24 outlying stations of Odisha were inaugurated by Justice K.M. Joseph, Judge, Supreme Court of India in virtual mode. Dr. Justice S. Muralidhar, Chief Justice and Judges of High Court of Orissa were present on the occasion. The District Judges, Judicial Officers and Office Bearers of the Bar Associations of the respective Districts virtually attended the event.



Inauguration of e-Libraries for the Bar Associations in the State of Odisha on 20th February, 2023

HIGH COURT OF ORISSA
24.4K subscribers

Subscribe

Like Comment Share Save



Inauguration of e-Libraries for the Bar Associations in the State of Odisha on 20th February, 2023

HIGH COURT OF ORISSA
24.4K subscribers

Subscribe

Like Comment Share Save

Last year on 23rd March, the High Court of Orissa inaugurated 30 e-Libraries for the Bar of all the District Headquarters stations and 2 for

the outlying stations at Koraput and Rourkela. Those Bar members have been immensely benefited from the facility.

7. e-Inspection facility for the members of the High Court Bar Association.

To facilitate the bar members for inspection of records, e-Inspection facility was launched on 29.03.2023 by Dr. Justice S. Muralidhar, Chief Justice in presence of the Judges of High Court of Orissa and other Dignitaries. As per the prevailing practice, application for inspection is filed before the Additional Deputy Registrar under rules contained in Chapter-XXIII of the Rules of the High Court of Orissa, 1948 and the

applicant has to wait for considerable time for arrival of the physical record. After digitization, the records are available in softcopies. Through e-inspection facility the Bar members can apply online for inspection and once approved will be able to see the softcopy of record in a dedicated computer system within minutes without having to wait for the physical record.





Speaking on the occasion Justice Subhasis Talapatra said the lawyers will be immensely benefitted by the two new facilities and urged the lawyers to use the Wi-Fi facility for research work. He informed the Bar members that the

High Court would be taking up the task of making the High Court judgments available for the lawyers through a search engine like the e-SCR of the Supreme Court of India.



Learned Advocates can apply online for inspection of case records by visiting the url <http://112.133.226.244/einspection/>. Once the application gets approved, digitized copy of the case records can be verified.



Application Form

Back to Home

Application Form

Home / Application Form

Online Application Form For Inspection Of Pending High Court Record

Case Type :

--Select--

Enter Case Numt

Enter Case Year

Petitioner Name :

Petitioner Name

Respondent Name :

Respondent Name

Advocate(s) Name :

Purpose of inspection desired :

Name of the Advocate / Party applying :

Reg. No Of Advocate / Aadhaar number of party :

Submit Form

© Copyright High Court Of Orissa. All Rights Reserved

8. Free Wi-Fi facility

'Free Wi-Fi facility' was launched by Dr. Justice S. Muralidhar, Chief Justice in presence of the Judges of High Court of Orissa on 29th March, 2023. To make free Wi-Fi facility available for the bar members access points with provision of 100 MBPS dedicated internet lease line have been installed all over the High Court Campus

1. Website of the Hon'ble Supreme Court of India
2. Website of the Hon'ble High Court of Orissa
3. Official District Court Websites
4. e-Filing Portal
5. e-Payment Website
6. Zoom Website
7. e-Courts Portal
8. OHC e-Services

The litigants and other stakeholders visiting the Court can avail the said network through Wi-Fi and access vital case and Court related

information including the bar association halls for seamless use by multiple users. The bar members will have to search for the advocate SSID in the device and click on it and enter the password to access the internet. The following websites dedicated to the Justice Delivery System can only be accessed through the Wi-Fi facility:

9. Virtual Court Portal
10. NJDG Portal
11. Judgments Portal of the Hon'ble Supreme Court of India / e-SCR
12. India Kanoon
13. Live Law
14. Manupatra
15. SSC Online

information in real time, which would ultimately ensure to their benefit and the interest of expeditious and efficacious delivery of justice.

9. National Conference on Digitization, Paperless Courts and e-Initiatives

To explore the possible ways of use of technology in the legal system a two days National Conference on Digitization, Paperless Courts and e-Initiatives was organized by the High Court of Orissa in the Odisha Judicial

Academy, Cuttack on 6th and 7th May, 2023. Implementation of the Action Plan of Phase-III of e-Courts Project of the Supreme Court of India was the focal point of the Conference.



The Conference was inaugurated on 6th May, 2023 by Dr. Justice Dhananjaya Y. Chandrachud, Chief Justice of India in the presence of Justice Rajesh Bindal, Judge, Supreme Court of India, Dr. Justice S. Muralidhar, Chief Justice, High Court of Orissa, Justice Bipin Sanghi, Chief Justice, High Court of Uttarakhand, Justice Tarlok Singh Chauhan, Acting Chief Justice, High Court of Himachal Pradesh, the Judges of the High Court of Orissa and all other High Courts as well as the Judicial Officers representing all the States.

All the High Courts of the Country were participated in the Conference through their Judges and Judicial Officers. Besides, the

delegates from the Department of Justice, Government of India and the e-Committee, Supreme Court of India also attended the Conference.

The “Neutral Citation for the Indian Judiciary” was inaugurated on the occasion by the Chief Justice of India. Neutral Citation System is an initiative of Dr. Justice D.Y. Chandrachud, aimed at evolving a mechanism for standardizing case law citations. Case law reporting is an integral part of the legal system and the lawyers and Judges rely on the law reports and legal websites to access case laws. Different law reports adopt different patterns to identify a case law which often leads to confusion.



Neutral Citation System is a uniform and secure methodology for identifying and citing decisions of the orders and judgments of the Supreme Court and High Courts. In this system each decision (reportable and non-reportable) of the Supreme Court and High Courts would

have a citation of its own approved by the respective Court, independent of the Law Reports. The system will make it easier for Courts to publish the orders and judgments in public domain by providing a consistent method of citing judicial decisions which

will facilitate easy identification, referencing and retrieval thereof. Case laws, which were so far accessible only to the subscription holders of private law-reporters, would now be available to everyone free of cost through Neutral Citations.

Delivering the welcome address in the inaugural function Dr. Justice S. Muralidhar, Chief Justice, High Court of Orissa said the Conference

is primarily aimed at discussing on how to implement the National Action Plan of Phase-III of e-Courts Project. He said the ICT Initiatives like virtual hearing, live streaming, e-Filing, Paperless Courts, digitization of case records etc. which gave fillip to the legal system after the Covid pandemic are no longer new and it's time to effect completely transformation of judiciary.



Thanking the Union Government for the financial support for Phase-III of the e-Courts Project Dr. Muralidhar stressed upon the need of discussing the road map for completion of the task. Expressing concern over the misuse of ICT tools he flagged the issue of data integrity and security and emphasized on framing of a Comprehensive Judicial Data Security Policy

for protecting the confidential details of the citizens. He also stressed upon the need for the judiciary to build its own resources in the field of ICT instead of depending on the private agencies. Dr. Muralidhar said that training of Judicial Officers, Court staff, lawyers and their clerks on ICT Initiatives for real transformation.



Justice Rajesh Bindal, Judge, Supreme Court of India expressed concern that all the High Courts are not at same level in implementing the e-Courts Project and the ICT Initiatives which is creating an imbalance in the Pan India scenario. Justice Bindal said that non-utilization of the funds provided by the Government is a major hindrance in implementation of the Action Plan under e-Courts Project. Lauding the efforts of Dr. S. Muralidhar, Justice Bindal said that RRDC and Museum of Justice are the examples of how an effective leadership can change the scenario. He said while there are innumerable advantages of Artificial Intelligence and ICT, the growing misuse of the same is worrisome. Justice Bindal also harped on the need of training of the Judicial Officers, Court staff, lawyers and their clerks as well as the

awareness of litigants and also emphasized on the use of e-SevaKendras and Process Re-Engineering.

Delivering the inaugural address Dr. Justice D.Y. Chandrachud, Chief Justice of India referred to the Record Room Digitization Centre and lauded the leadership of Chief Justice Dr. S. Muralidhar, in making the High Court of Orissa to be at the forefront of efforts to digitize and modernize the judiciary. Dr. Justice Chandrachud discussed on the vision of Phase III of the e-Courts Project and the work that needs to be done for building a modern judiciary. He said the vision of e-Courts Project has been to ensure the principles of affordability, accessibility, cost effectiveness, environmental sustainability and transparency.



The Chief Justice of India informed that there has been budgetary outlay of Rs.7210 crores in Phase-III to be spent over a 4-year period i.e. from 2023 to 2027 which is considerably higher than that of Phase-I and II. He urged all the High Courts to optimally utilize the funds and successfully build the infrastructure for Phase III. He emphasized on creating a robust digital infrastructure as well as appropriate physical infrastructure across all courts in India including the District Courts. Expressing concern over lack of usable facilities for women litigants and lawyers as well as for persons with disabilities in the District and Taluk Courts

he urged the High Courts to take immediate action to provide adequate facilities across all courts.

Dr. Justice Chandrachud said that the judiciary would be moving to cloud storage for storing digitized court records, live streaming recordings, electronic evidence and establishing paperless courts which will ensure standardization of data security and privacy norms. He said that building trustworthy digital repositories is one of the primary focus areas of Phase III and this will involve digitization of the entire court records, both legacy records and pending cases.



In Phase III, he said, it is proposed to digitize 3108 crore pages because this is necessary in light of the physical storage constraints that are being faced across the country. He also emphasized on simultaneous shifting to e-filing along with digitization and ensuring that further physical output is not created

which is not already digitized, and for this, a mechanism to preserve born-digital data has to be built that will be received through e-filing and through ICJS which will have FIRs and charge sheets. He said Digitization shall be crucial for preservation as well as for enabling paperless courts.



The Chief Justice of India urged the High Courts not to shut down the virtual or hybrid hearing facilities with the resumption of physical courts and said that the services of infrastructure already built with public money should not be kept away from the public. He also urged to reach out to citizens to spread awareness about all the services available under the e-courts services. Speaking on the road map of Phase-III of the e-Courts Project Dr. Justice Chandrachud emphasized on the role of e-SewaKendras and said that there should be continuous efforts to bridge the digital divide.

Extending vote of thanks Justice S. Talapatra, Judge, High Court of Orissa and Chairman of the IT & AI Committee thanked the Chief Justice of India to conceive this National Conference at the right time when the judiciary is in the anvil of the commencement of Phase-III of the e-Courts Project which aims at building a futuristic judiciary.

The first session of the Conference was presided over by Dr. Justice D.Y. Chandrachud where presentations were made by e-Committee, Supreme Court of India and the Department of

Justice, Government of India on phase-III of the e-Courts Project. In the following two sessions presided over by Justice Rajesh Bindal, the Judges of the High Courts of Calcutta, Kerala, Andhra Pradesh, Allahabad, Punjab & Haryana, Bombay, Chhatisgarh, Gauhati, Gujarat, Jammu & Kashmir and Ladakh, Jharkhand presented on how their High Courts have made use of technology in legal system and shared their experiences and challenges.





On the second day of the Conference Justice A.S. Bopanna and Justice Krishna Murari, Judges, Supreme Court of India will chair different sessions where the High Courts of Karnataka, Madras, Manipur, Patna, Rajasthan, Telengana, Tripura, Uttarakhand, Himachal Pradesh, Orissa, Kerala, Madhya Pradesh and Delhi will made presentation on how technology has been used by their High Courts and their experiences and challenges. The High Courts of Orissa, Kerala, Madhya Pradesh and Delhi will also be presenting their view points on the road map for the future. Dr. Dinesh Katre, Senior Director & HOD, Scientist-G, Co-Mission, Director-Digital Preservation C-DAC and VivekRaghavan, Chief AI Evangelist, Bangalore will also deliberate on the second and concluding day of the Conference. Record Room Digitization Centre of the High

Court of Orissa, which has been termed by the Chief Justice of India as a role model for the other High Courts in the field of digitization, was a talking point during the Conference. The Conference has been organized by the High Court of Orissa on the request made by the Chief Justice of India in the Chief Justice's Conference held recently in the Supreme Court.

It was an occasion for the Judges of all the High Courts of the Country attending the Conference, to visit and study the process undertaken in Record Room Digitization Centre. The visiting Judges and Judicial Officers from across the Country were also fascinated to see how the centuries old judicial documents are being preserved in the Centre for Judicial Archives and those are being showcased in the Museum of Justice.

10. Online RTI Portal

Online RTI portal in the High Court of Orissa has been launched w.e.f. 26.04.2023 in compliance to the order dated 05.12.2022 passed by Hon'ble Supreme Court of India in Writ Petition (Civil) No. 1040/2019 in the matter of creation of online RTI portal in the High Courts. Citizens can register themselves on the RTI Portal to obtain information under the RTI Act from the High Court of Orissa. <https://www.orissahighcourt.nic.in/onlinerti/>

11. Online Mentioning Portal

The facility of online filing of Mention Memos in the High Court of Orissa was commenced with the launch of Online Mentioning Portal on 03.02.2023. Urgent matters can be mentioned through memo of urgency submitted through on line mode using the portal <https://www.orissahighcourt.nic.in/onlinememo/>.



12. Online Certified Copy

A portal for Online Certified Copy Application for the High Court of Orissa is launched on 01.05.2023. Advocates and litigants can apply for Certified Copies in the High Court of Orissa

through online mode. The portal has been developed on the Service Plus framework of NIC. <https://www.orissahighcourt.nic.in/onlinecertifiedcopy/>

High Court of Orissa Online Certified Copy

Service Description
Apply For Service
Track application status
View Incomplete Application
View Acknowledgement Slip
View submitted Application Form
My Space ▾

High Court of Orissa
 APPLICATION FOR CERTIFIED COPIES

Application Details

Case Type *

Please Select ▾

Case No *

Year *

Main Party *

Status *

☐ Pending ☐ Disposed

Last Listing Date/ Disposal Date

Application Date *

05/07/2023

District Of The Applicant *

Please Select ▾

Applicant's Information

Applicant Type *

Please Select ▾

Full Name *

Address *

Mobile Number *

E-Mail *

PIN *

13. Digital Signature (DSC) in Orders and Judgments

With a view to ensuring timely access by lawyers and litigants to authenticated copies of the orders and judgments, digitally signed (DSC) orders and judgments are uploaded on the Court's website w.e.f. from 24.04.2023.

The orders and judgments of the High Court of Orissa are applied with Digital Signature (DSC) of the Secretarial Officers and staff of the Hon'ble Court for authenticity.

person served (in this case the bank) for purpose of any entry, endorsement or like being made before payment is made, notwithstanding any rule, practice or requirement to the contrary. This mandate obviated the necessity of the bank from obtaining instructions to encash prematurely the fixed deposits, for payment in compliance of the garnishee order. Hence, there was no reference to petitioner in the compliance made by the bank.

4. For reasons aforesaid, no interference is warranted.

5. The writ petition is dismissed.

(Arindam Sinha)

Judge

Signature valid

Digitally Signed
Signed by: PRASANT KUMAR SINHA
Reason: AUTH
Location: CHC
Date: 05/07/2023 18:38:14

U.S.R. OF (JUDGE) N.1-354/2023

Dr. S.K. Panigrahi, J.

1. The Petitioners, in this Writ Petition, seek a direction from this Court to the Opposite Parties to restore their services and regularize their services as per the letter dated 30.10.2003 issued by the Opposite Party No.7/ Engineer-in-Chief, Water Resources Department, Odisha, Bhubaneswar. They further seek direction from this Court to the Opposite Parties to pay their arrear salary as applicable to them.

I. FACTS OF THE CASE:

2. The fact of the case, in brief, is that the Petitioners are working under the Executive Engineer, Jonk Canal Division, Nuapada

Signature valid

Digitally Signed
Signed by: Pratiksha Mishra
Reason: Authentication
Location: ORISSA HIGH COURT, CUTACK
Date: 05/07/2023 18:38:14

ITP(C) no. 20035 of 2022

Page 4 of 4

Page 1 of 20

14. Establishment of a dedicated I.T. Cell of the High Court

A dedicated I.T. Cell has been established in the Old Building of the Court which was inaugurated on 21.07.2023 by Dr. Justice S. Muralidhar, Hon'ble the Chief Justice in presence of companion Judges of the Court.

The I.T. Cell primarily houses the Chamber of the Central Project Co-ordinator along with rooms for the following Staffs working under his direct control and supervision:

- Computer Section of the Court (Superintendent, Sr. System Officer, System Officers, Section Officers, A.S.O.s, Programmer and System Assistants)

- NIC Centre of the Court (Sr. Director (IT) and Joint Director (IT) with support staff)
- Cause List Preparation staff (Type Supdt. Level-I & II, Sr. & Jr. Grade Typists)
- System Admins (Software Development Team; Hardware Tech. Support)
- Outsourced Technical Personnel (VC Coordinators/Live Streaming support)

The Chamber of the CPC is also fully equipped with VC equipments and Conference Table (with seating capacity for 10-12 people) for conducting VC meetings as and when required.



15. Warrant Management System (WMS)

With a view to expeditious transmission and execution of warrants, 'Warrant Management System (WMS)', an online platform has been tested on pilot basis at the Judgeship of Cuttack for issuing warrants to the Police and tracking the execution status of the same starting from 24.04.2023.

The Warrant Management System (WMS) has been developed and implemented in coordination between the State Crime Records Bureau, Odisha (SCRB) and the Hon'ble High Court of Orissa. This portal has the facility of issuing warrants, tracking status of execution, acknowledgement of warrant execution.



https://wms.odisha.gov.in/WarrantManagement/_layouts/Login.aspx



Warrant Management System



LOG IN TO YOUR ACCOUNT

Username:

Password:

5h18C
Enter the characters in the textbox below
Characters are case sensitive

Login

This site is Developed by SCRB, Odisha with the Coordination of High Court of Orissa

16. Implementation of SUVAS

Supreme Court Vidhik Anuvaad Software (SUVAS), an AI-powered tool for translating legal documents from English into vernacular languages. Several vernacular languages have been incorporated in SUVAS AI tool and Odia is one of the supported languages.

The High Court of Orissa Translation cell has

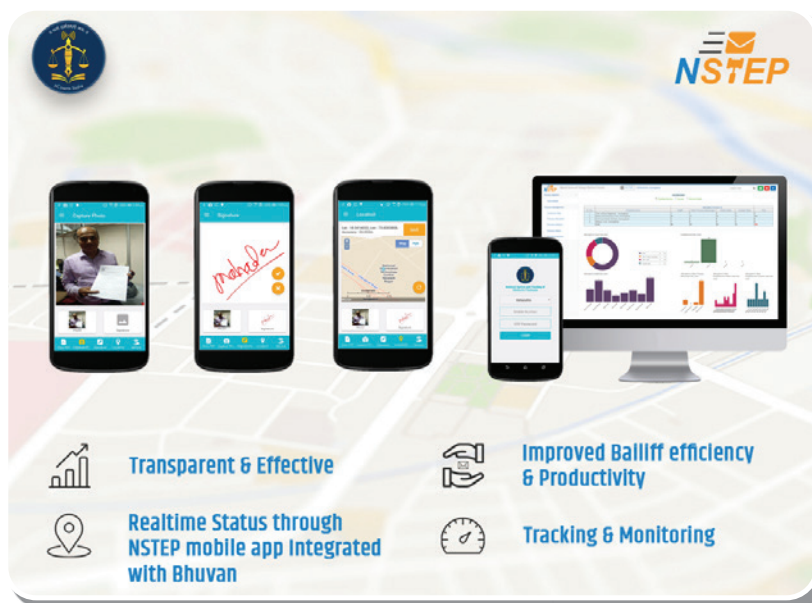
been established in the month of February, 2023 for translation of Supreme Court Judgments in Odia language with the help of SUVAS AI tool. With the guidance and technical assistance from the Hon'ble Supreme Court of India, the translation cell is working in AI tools for translation of the Supreme Court Judgments into Odia language.

17. National Service and Tracking of Electronic Processes (NSTEP)

Summonses and notices served in court are essential legal documents used to notify individuals or parties about legal proceedings.

The traditional method of serving summonses and notices in court typically involves a series of formal steps designed to ensure that the recipients are informed of their legal obligations and that causes delay in court proceedings, to avoid such issues the Hon'ble eCommittee

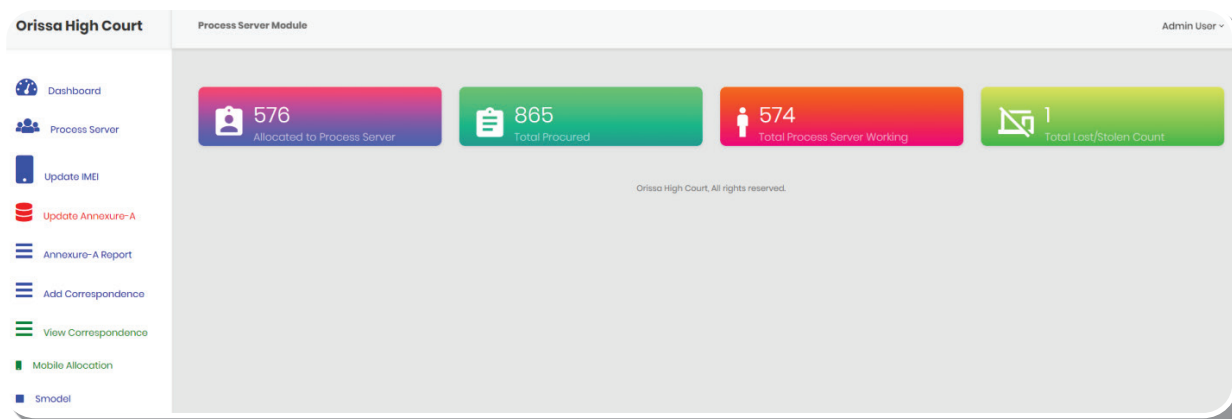
Supreme Court of India envisage the National service of National Service and Tracking of Electronic Processes (NSTEP) an application for electronic generation, issuance of processes and tracking of its service. This software has been implemented in all District Courts across the state. The High Court of Orissa has procured 879 numbers of smartphones for the process servers of district judiciary.



The Hon'ble Court's Technical Team also prepared the templates of summons, notices in Odia language and integrated in the Case Information System for use in NSTEP application.

The Hon'ble High Court has implemented standard operating procedure (SOP) for smartphone devices to increase operational efficiency.

The Technical Team of the Hon'ble Court have developed an application For distribution and effective management of Process Servers, Smartphones, IMEI Numbers, SIM Cards, Mobile Service Providers, a centralized portal has been created. Login credentials have been provided to all District Courts to regularly update data smooth tracking of process servers working and assigned smartphone details.



The District Admin, Process Admin, Process Servers and other Staff of the District Judiciary dealing with NSTEP provided regular training for smooth implementation of NSTEP.

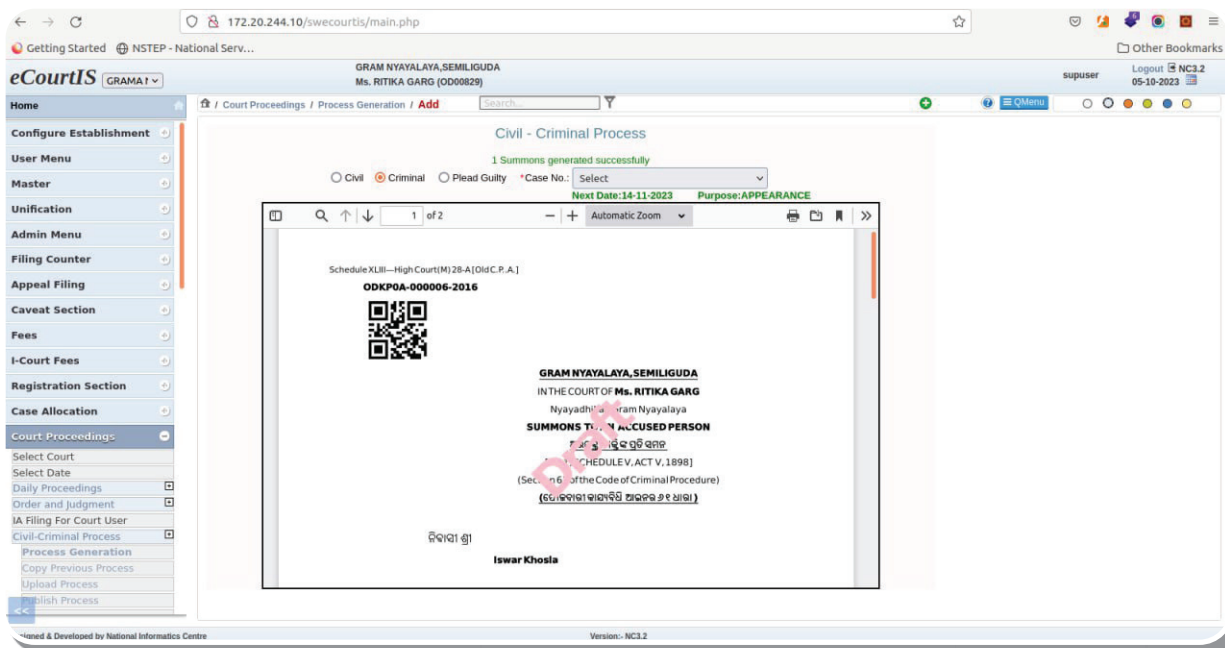
NSTEP is another innovative application launched as part of the eCourts Project.

It is a transparent and secure system for transmission of process from one location to another and will address delays in process. NSTEP will lead to secured auto generation of processes with unique QR Code through CIS, publishing processes on portal and transmission of processes to other court complexes.

NSTEP Mobile App provided to bailiffs and process servers enable transparent tracking of service of notices and summons in real-time. Once the process is adopted through CIS software by the respective courts, it will become available on the NSTEP web application in the electronic format. NSTEP web application enables allocation of published processes to bailiffs if service is to be effected within

their jurisdiction. It also facilitates allocation of published processes to respective court establishments inter-district or inter-state.

The bailiffs can view the allocated processes on the NSTEP Mobile App. The Android smart phones are being provided to bailiffs which are integrated with the court's service modules. The Bailiffs can capture GPS location, photo of the receiver and the data captured is instantly communicated to the central NSTEP application. From NSTEP web application data is then sent forward to CIS enabling courts to track the status of service. NSTEP was launched in all 30 districts of the State on 30th September 2023.



18. Migration of District Court Websites to S3WaaS

S3WaaS is a cloud service developed for government entities to generate Secure, Scalable & Sugamya (Accessible) websites. Websites of all the District Courts of the State are now live on S3WaaS platform

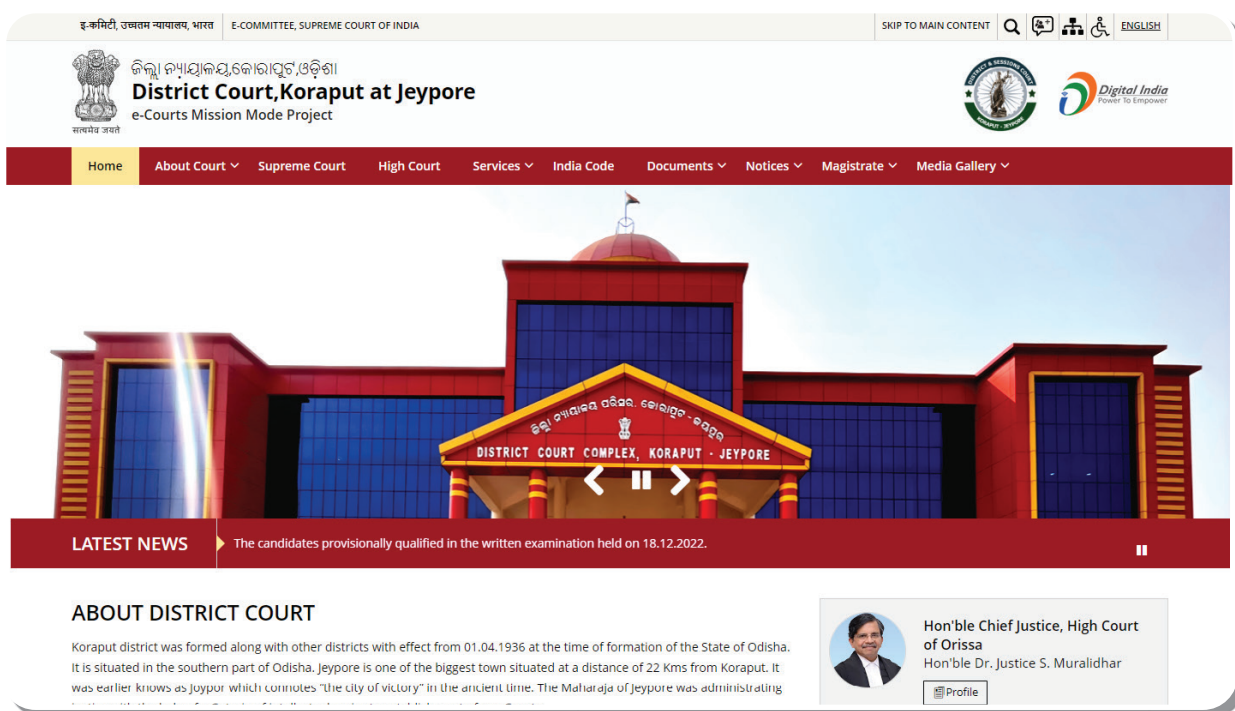
enabling the District Judiciary to customize and manage the content easily and maintain their online presence. All the data present in the previous websites have been migrated to newly built S3WaaS websites which are now



GIGW Compliant, Responsive Designed for easy access through Smart Phones, Tablets and Desktop PCs.

District Court websites of the State of Odisha have been migrated to S3WaaS platform which is a cloud service developed for government entities to generate Secure, Scalable & Sugamya (Accessible) websites. It enables government entities to choose from various themes for generating websites as well as customizing and managing the content easily, thus empowering

them to maintain their online presence. Through the help of the district Judges and technical teams in the district courts, all the data present in the previous websites have been migrated to newly built S3WaaS websites which are now GIGW Compliant thus making them more secure. The new websites are more Responsive and Designed for easy access through Smart Phones, Tablets and Desktop PCs and was launched on 30th September 2023.



19. Public Interest Litigation (PIL) Portal

Public Interest Litigation (PIL), since the late 1970s when it commenced in the Supreme Court and the High Courts, has become a prominent feature of the functioning of the Constitutional courts in our country. Among the standout features of this type of litigation is that it is intended to ensure access to justice to those who, as a result of tangible and intangible barriers, are unable to espouse their causes

themselves. This explains the facets of PIL being non-adversarial, having relaxed rules of standing, the Court appointing Commissioners to gather facts or give expert advice in the form of reports, and most importantly, the Court using the device of a 'continuing mandamus' to continue to monitor the implementation of its orders over a period of time.

The High Court of Orissa has its fair share of PILs on a range of issues including protection of the environment, management of prisons, manual scavenging, health, public accountability of institutions and so on. Some prominent cases have continued over the years, with the High Court monitoring the implementation of its orders through the device of the 'continuing mandamus'.

A PIL Portal was launched by the High Court of Orissa on 7th August, 2023. The purpose of this Portal is to disseminate information on a few of the significant pending PILs that have engaged the attention of the High Court of Orissa. Apart from a brief description of the case, the portal intends to make accessible all the orders in that particular case. Since some of these proceedings have been live streamed since August 2021, the links to the hearings are also provided. A person intending to file

a PIL afresh in the High Court of Orissa might want to first check on this portal if there is a matter already pending on the same subject. Very often the lawyers filing PILs are not able to know that the same issue has already been pending before the court in an earlier filed PIL which leads to multiplicity of litigations. The lawyers bringing petitions before the court in the matters of public interest are required to ensure that the issue sought to be raised by them is not already pending before the court. The PIL Portal might help avoid multiplicity of petitions. It would help the researchers and students. The Bench hearing PILs might also find this portal useful.

The pleadings in the PILs are not made available as there are issues of privacy, confidentiality, and consequential issues of redaction, which will require more deliberation.



Straw Craft art depicting Kandarpa Hasti (elephant) with Radha Krishna displayed at Judges' Lounge

Activities

New Year Meet of the Bar & Bench

On 4th January, 2023 for the first time the High Court organized a friendly meet for the Bar and Bench on the occasion of New Year. Dr. Justice S. Muralidhar, Chief Justice and the Judges of the High Court of Orissa were present on the occasion. The Advocate General, Odisha, the Deputy Solicitor General of India for the High Court of Orissa, the President and Office Bearers of the High Court Bar Association also attended on the occasion alongwith the Senior Advocates, the Law Officers for the State Government and the Union of India as well as other Departments. This initiative was

seen as an effort to unite the Bar and Bench and the Bar appreciated the gesture of the High Court.

On the occasion the High Court launched the system of automated SMS alerts to the Advocates regarding the defects found in their cases facilitate them to know the status of their cases and remove the same. Dr. S. Muralidhar, Chief Justice, High Court of Orissa informed the Bar that it was an occasion to thank the Bar for the active cooperation in all the endeavours of the High Court.



Judges, Senior Advocates and Bar members in the New Year Meet, 2023

Visit of senior citizens to the High Court

On 25th March 2023, senior citizens from an Old Age Home of Isani Berhampur, Nischintakoili visited the High Court of Orissa along with Museum of Justice and Odisha State Legal Services Authority (OSLSA). The High Court officials explained various aspects of judicial functioning to the senior citizens. Advocates Mr. Iswar Mohanty and Aurolina Pal interacted

with them and they were elated being present in the Chief Justice's Courts and Chambers in the Heritage Building and the New Building of the Court and knowing about Former Chief Justices and Judges.

They visited the newly inaugurated Museum of Justice where Museum officials explained about

the importance of artefacts displayed there as well as the evolution of justice system. They also visited the Aain Seva Bhawan which houses the office of Odisha State Legal Services Authority where they were told about the Alternative Dispute Redressal (ADR) mechanism and its

contribution in redressal of the grievances of poor litigants. The idea of arranging a visit of the senior citizens to the High Court can be seen as another step forward by the High Court towards reaching out to the marginalized sections of the society.



The senior citizens in the High Court & Aain Seva Bhawan



The Senior citizens in the Museum of Justice

Visit of school children to the High Court

Continuing the practice initiated in 2021 the High Court organized visits of students from Kendriya Vidyalaya No.3, Bhubaneswar and DAV public school, Pokhariput, Bhubaneswar to

the High Court on 29th April and 1st July, 2023 respectively. Registry officials explained various aspects of judicial functioning to the students. The students saw the Chief Justice's Courts

and Chambers in the Heritage Building and the New Building of the High Court, Judges' Library and the Conference Halls. The students were shown video clips of swearing-in-ceremony of Judges and explained the procedure involved therein. Video clip of the hearing of a Public Interest Litigation was also played for viewing of the students in the Chief Justice's court room.

In Museum of justice, students could learn the evolution of Judicial system in Odisha and got glimpses of the richness of Odisha's culture showcased there. The purpose of organizing such visits is to bring transparency about the real functioning of judiciary which is different from the myths prevailing in the society.



(Left) Students watching video of court proceeding in Chief Justice's Court in new building, (Right) Students taking glimpses of books and photographs of former Chief Justices in Old Conference Hall of the Court



(Left) Students interacting with Justice M.S. Sahoo and the young Advocates in Judges' Lounge in new building, (Right) Students understanding the evolution of justice system of Odisha from the Law Researcher in Museum of Justice

Public Visit to the High Court of Orissa

First time in the history, the premises of the High Court of Orissa were opened on 5th August, 2023 for guided tour of the public on every Saturday except on declared holidays. Two shifts of tour in a day (each tour comprising

40 persons), the first shift from 10:00 AM to 11.30 AM and the second shift from 11.30 AM to 1:00 PM are arranged. The tour facilitate the visitors to view the majestic court rooms of the Heritage Building and New Building and

other important places of the High Court. The visitors are guided by the officials and given brief understanding on the functioning of court. In order to bring people closer to judiciary,

the High Court of Orissa has adopted this citizen-centric initiative. The public interact with registry officials and put queries regarding justice administration.



(Left) Members of public understanding the functioning of the High Court, (Right) Members of public viewing the miniature model of the High Court

Release of Judicial Calendar

On 17th December, 2023, for the third consecutive year, the High Court of Orissa released the Judicial Calendar of Odisha featuring paintings of school children in Justice Gati Krushna Mishra Auditorium of the Odisha Judicial Academy.

On 12th November, 2023 painting competitions were held among the school children of Class-VII to X across the State on the theme “Global Warming” by the District Courts under aegis of the High Court of Orissa. 1782 children participated in the competitions and 3 paintings were selected from each district. The 90 paintings adjudged 1st, 2nd and 3rd in the districts were brought to Cuttack and out of them 12 paintings were selected by the Committee of Justice Sangam Kumar Sahoo, Justice Savitri Ratho and Justice Gourishankar Satapathy.

The 12 paintings were of Shriyans Panda of Cuttack, Sibasish Das of Kendrapada, Subha

Ommkar Rath of Kalahandi, Samapika Nayak of Jajpur, Rudra Prasad Patra of Jagatsinghpur, Priyadarshini Muduli of Mayurbhanj, Basudev Gamango of Gajapati, Shovit Kushal of Sonapur, Satyajit Sahoo of Cuttack, Ashirbad Das of Angul, Yogeswar Deep of Nuapada and S. Satyam Achary of Koraput. Those paintings have found place in the Judicial Calendar of Odisha, 2024.

In the function in Odisha Judicial Academy the calendar was released by Dr. Justice Bidyut Ranjan Sarangi, the then Acting Chief Justice in the presence of the Judges of High Court of Orissa. Eminent Academician & Writer and Padma Bhusan Awardee Dr. Pratibha Ray, Eminent Vocalist and Padma Shri Awardee Smt. Shyamamani Devi and acclaimed sculptor Shri Rabi Rath were the special guests. Former Judges of the High Court, Advocate General of Odisha, office bearers of High Court Bar Association and government officials also attended the event.



The 12 children artists were felicitated by Dr. Justice B.R. Sarangi, the then Acting Chief Justice, Judges and guests with certificates of appreciation, medals and prizes. It was a

proud moment for the children as well as their parents who were present in the function. Their paintings were displayed before the audience in large screens.



(Left) Judicial Calendar being released by Dr. Justice Bidyut Ranjan Sarangi, the then Acting Chief Justice, Judges and other dignitaries, (Right) Dr. Justice Bidyut Ranjan Sarangi, the then Acting Chief Justice felicitating one of the child artists

Blood donation camp

There was a tragic rail accident at Bahanaga of Balasore district on 2nd June, 2023 in which 296 people died and over 1200 peoples were injured. To support the persons injured in the rail accident the High Court of Orissa organized a Blood Donation Camp on 3rd June, 2023. The Judges and employees of the High Court wholeheartedly participated in the Camp and 135 units of blood were collected with the help

of Indian Red Cross Society. Subsequently, on 9th November, 2023 another Blood Donation Camp was held in the High Court on the request of Indian Red Cross Society in view of shortage of blood in the blood bank. The employees again participated and 139 units of blood were collected with the help of Indian Red Cross Society.



(Left) Dr. Justice Bidyut Ranjan Sarangi, the then Acting Chief Justice donating blood, (Right) Employees donating blood

Health Camp

On 23rd September, 2023 a free Health Camp was held in the High Court of Orissa for its employees. The Health Camp was inaugurated by Justice Subhasis Talapatra, Chief Justice in presence of the Judges. Director and Joint Director of Health Services, Chief District Medical Officer, Cuttack, Superintendent, DHH, Cuttack and other senior Doctors were present on the occasion.

During the Health Camp 845 employees registered for their health check-up. 21 Doctors of various disciplines of medical science along with laboratory technicians and

support staff conducted the Camp. Facilities of consultation and tests by Specialists in Medicine, Orthopaedics, Surgery, Dental, Ophthalmology, ENT and Obstetrics & Gynaecology including ECG tests and Fibro scans were availed by the employees free of cost.

The Health Camp was organized by High Court with a view to creating awareness and educating the employees about health care. Through the Health Camp information about the health condition of the employees were collected and a database was created in the High Court of Dispensary.



Justice S. Talapatra, Chief Justice in the Health Camp



Health check up of an employee



Felicitations of employees on completion of 25 years of service and retirement

In 2023 the High Court continued its practice of acknowledging the contribution of its employees by way of felicitating them on completion of 25 years of service and on

retirement. 14 employees were felicitated in 2023 for completion of 25 years of service and 20 employees were felicitated during the year on their retirement.

Employees who retired in 2023

- | | |
|--|---|
| • Bidyadhar Behera, Head Driver | • Banabihari Rout, Senior Driver |
| • Bijaya Kumar Sahoo, Secretary | • Pravat Kumar Dash, Senior Grade Diarist |
| • Subash Chandra Sar, Section Officer | • Madan Mohan Mohapatra, Diarist |
| • Nirmalendu Jee, Joint Registrar (Judicial) | • Suresh Chandra Sahu, Jamadar |
| • Jagannath Mohapatra, Additional Deputy Registrar (J&E) | • Jyoti Ranjan Mohapatra, Superintendent |
| • Bikram Sethi, 1 st Assistant Registrar (Judicial) | • Barennya Kumar Samal, Additional Deputy Registrar (J&E) |
| • Ashok Kumar Choudhury, Asst. Registrar-cum-Court Officer | • Kalpana Kumari Acharya, Multi Purpose Health Worker |
| • Suresh Chandra Baral, Superintendent | • Lingaraj Behera, Senior Stenographer |
| • Dr. Gitanjali Satapathy, Homeopathy Medical Officer | • Dhruba Charan Singh, Head Driver |
| | • Naba Kishore Naik, Superintendent |
| | • Gopal Samal, Duftary |

Obituary

In 2023, one former Chief Justices of India, one former Judge of the Supreme Court of India and thirty-nine lawyers of the High Court

Bar Association passed away. The High Court paid homage to each of them by holding Full Court references.

Former Chief Justices of India

- Justice A.M. Ahmadi

Former Judges of the Supreme Court of India

- Justice M. Fathima Beevi



Members of the High Court Bar Association

- | | |
|---------------------------|----------------------------|
| • Biswajit Mohanty | • Girish Chandra Mohapatra |
| • Bibhudananda Mohapatra | • Sidharth Sankar Baral |
| • Nabakishore Das | • Sanjay Kumar Bhagat |
| • Purna Chandra Pattnaik | • Nibedita Pradhan |
| • Chitta Ranjan Mohanty | • Prasanta Kumar Mohanty |
| • Rabinarayan Sahoo | • Choudhury Chandrasekhar |
| • Subhasish Sen | • Prasanna Kumar Ray |
| • Kunja Behari Kar | • Surendra Kumar Nayak |
| • Debendra Kumar Mohanty | • Sabyasachi Tripathy |
| • Bivas Kumar Mishra | • Prasanta Kumar Nayak |
| • Sayed Rafiq Ahmed | • Dhuliram Pattanaik |
| • Manas Ranjan Mohapatra | • Pramod Kumar Pattanaik |
| • Kshirod Kumar Das | • Anil Kumar Dash |
| • Brajabandhu Biswal | • Subha Sundar Sastri |
| • Bhagyadhar Das | • Gautam Panda |
| • Samarendra Pattnaik | • Y. Surya Prakash Babu |
| • Smruti Ranjan Mohapatra | • Niranjana Parija |
| • Prem Kumar Pattnaik | • Sidheswar Mohanty |
| • Kedarnath Parida | • Braja Kishore Jena |
| • Damodar Prasad Mohanty | |

Besides, two Judicial Officers and four employees of the High Court passed away in 2023. The High Court pays homage to the departed souls.

Judicial Officers of the State

- Manas Ranjan Ray, Senior Civil Judge
- Tanmay Kumar Mohanty, Additional District & Sessions Judge

Employees of the High Court

- Ashok Kumar Nayak, Section Officer
- Umakanta Sahoo, Secretary
- Naba Kishore Mallick, Duftary
- Kailash Chandra Sahoo, Group-D employee

75th Year Celebrations

On 26th July, 2022, the High Court of Orissa had entered into the 75th year of its establishment and the entire year was celebrated by organising several events such as felicitation of former Judges, advocates and legal assistants and by holding sports and cultural meets of the

employees and quiz competition among law students and judicial officers etc. The year-long celebration ended with a valedictory ceremony on 26th July, 2023, graced by Smt. Droupadi Murmu, the Hon'ble President of India at Jawaharlal Nehru Indoor Stadium, Cuttack.

1. Sports meet of the employees

As part of the celebration of the 75th year of the High Court, a series of events were organized for the employees of the High Court beginning with badminton, chess, carom and musical chair at the Jawaharlal Nehru Indoor stadium, Cuttack. The cricket tournament was held at the Sunshine school ground. On 8th January, 2023, the closing ceremony of

the High Court of Orissa Sports Meet, 2022-23 was held at the Jawaharlal Nehru Indoor Stadium where final matches of various events were played and prizes were presented by Dr. Justice S. Muralidhar, Chief Justice and the Judges of the High Court of Orissa to the participating employees.



Cricket Final



Chess Final



Badminton Final



Carom Final



The Chief Justice giving trophy



Cultural programmes by the employees in closing ceremony of Sports Meet

2. Cultural meet of the employees

As part of the celebration of the 75th year of the High Court, a cultural meet of the employees was held in the Auditorium of Odisha Judicial Academy where the employees performed

various art forms and also staged a drama in the presence of Dr. Justice S. Muralidhar, Chief Justice and the Judges of the High Court of Orissa.



Employees performing in the Cultural Meet

3. Felicitation of the legal Assistants who had completed 30 years in their profession

On 31st March, 2023, as part of the celebration of its 75th year, the High Court of Orissa felicitated the members of the High Court of Orissa Legal Assistants' Association who had completed 30 years in their profession by Dr. S. Muralidhar, Chief Justice and the Judges of the High Court felicitated 68 such Legal Assistants in presence of the members of the High Court of Orissa Legal Assistants' Association.

A welfare stamp for the Legal Assistants' Association was released on the occasion. Considering the struggles involved in the professional lives of legal assistants the High Court decided to amend its rules making provision for mandatory affixture of welfare stamp worth Rs.10/- on every vakalatnama and appearance memo filed by the Advocates.



Release of welfare stamp at Felicitation function of Legal Assistants



Members of Legal Assistants' Association with the Chief Justice & Judges

4. Felicitation ceremony of Former Chief Justices and Judges of the High Court of Orissa

As part of the celebration of 75th year of establishment, on 8th April, 2023, the High Court of Orissa felicitated its former Chief Justices and Judges in a function held in the Jawaharlal Nehru Indoor Stadium, Cuttack

presided over by Justice B.R. Gavai, Judge, Supreme Court of India in the presence of Dr. S. Muralidhar, Chief Justice and the Judges of the High Court. The function was held to acknowledge the contribution of all the

former Chief Justices and Judges of the High Court of Orissa in the successful journey of 75 years of the High Court. The dignitaries felicitated by the High Court included former Chief Justices of India, Justice G.B. Patnaik and Justice Dipak Misra and former Judges of the Supreme Court Justice Arijit Pasayat, Justice

P.K. Ayer Balasubramanyan, Justice Ashok Kumar Ganguly, Justice Ananga Kumar Patnaik, Justice V. Gopala Gowda, Justice Amitava Roy and Justice Vineet Saran along with former Chief Justices, Justice Sujit Barman Roy, Justice Bilal Nazki and Justice K.S. Jhaveri.



Felicitations of former Chief Justices of India, Justice G.B. Patnaik and Justice Dipak Misra by Justice B.R. Gavai, Judge, Supreme Court of India

Justice Prafulla Kumar Mishra, former Chief Justice of Madras High Court, Justice Laxmikanta Mohapatra, former Chief Justice of Manipur High Court, Justice Pradip Kumar Mohanty, former Chief Justice of Jharkhand High Court, Justice Indrajit Mahanty, former Chief Justice of Rajasthan and Tripura High Courts, Justice Jaswant Singh, former Chief Justice of Tripura High Court were also felicitated in the function along with Justice Sanjay Kumar Mishra, former Chief Justice, Jharkhand High Court, Justice C.R. Dash, Judge, Calcutta High Court and Justice S.N. Prasad, Judge, Jharkhand High Court. All of them were previously either the Chief Justice or the Judge of the High Court of Orissa.

The High Court also felicitated its former Judges Justice Susanta Chatterjee, Justice P.C. Naik, Justice Basudeb Panigrahi, Justice Pradipta Ray, Justice Ratnakar Dash, Justice Pradyumna Kumar Mohanty, Justice C.R. Pal, Justice P.K. Tripathy, Justice Choudhury P.K. Mishra, Justice B.P. Das, Justice A.S. Naidu, Justice M.M. Das, Justice R.N. Biswal, Justice A.K. Parichha, Justice N. Prusty, Justice A.K. Samantaray, Justice Vinod Prasad, Justice H.S. Bhalla, Justice Biswanath Mahapatra, Justice S.C. Parija, Justice B.K. Nayak, Justice B.K. Misra, Justice Raghubir Dash, Dr. Justice A.K. Rath, Justice Biswajit Mohanty, Justice Satrugana Pujahari, Justice Pramath Patnaik, Justice J.P. Das, Dr. Justice D.P. Choudhury and Dr. Justice A.K. Mishra. These Judges had retired from the High Court of Orissa.

Besides, the spouses of the deceased former Judges were also felicitated in the function. With this High Court of Orissa achieved another glorious milestone in its history. The members

of the Bar Association, Government officials and High Court employees have also attended the function.



The former CJs, Chief Justices & Judges of High Court on the stage

5. State level law Quiz for law students

While celebrating the 75th year of its establishment the High Court organized the first ever State level Quiz competition for law students in collaboration with an expert organization QShala. The quiz had 4 zonal rounds and the grand finale. To ensure participation of law students from all the districts, the state was divided into 4 zones - Sambalpur, Berhampur, Bhubaneswar and Cuttack taking into consideration the density of Law Colleges in the Districts and the distance of the places from the zonal headquarters.

On 15th April, 2023, the grand finale was held at Odisha Judicial Academy, Cuttack in the presence of Dr. S. Muralidhar, Chief Justice and the Judges of the High Court of

Orissa. Prizes were distributed to the teams by Dr. S. Muralidhar, Chief Justice and other Judges of the Court in a function after the grand finale. Students and teachers of various Law Colleges and Universities witnessed the final competition. The questions asked in the quiz were on the topics of Law, Politics & Social Studies from the lens of history, culture, music, movies, art and technology. While two different teams of National Law University, Odisha bagged the winning spot and the 2nd runner-up spot, the team of PG Department of Law, Utkal University secured the 1st Runner Up position. Mr. Raghav Chakrabarty, the Co-Founder and Chief Executive Officer of QShala was the quiz master in all the zonal rounds and the grand finale.



Mr. Raghav Chakravarty of QShala conducting the Quiz in Grand Finale



The winners, 1st Runners Up & 2nd Runners Up receiving the prizes from the Chief Justice & Judges

6. Felicitation of former and present Advocates General, lawyers having completed 50 years of practice

As part of the 75th year of the High Court of Orissa, the Lawyers' Day was observed in a special way on 28th April, 2023, in a function organized at Odisha Judicial Academy by felicitating 29 senior lawyers of the High Court Bar Association who have completed 50 years in legal profession and the former

and present Advocates General of Odisha. The function was presided over by Justice Dipak Misra, former Chief Justice of India in the presence of Dr. S. Muralidhar, Chief Justice and the Judges of the High Court of Orissa and Arvind P. Datar, Senior Advocate, Supreme Court of India.



Former & present Advocates General being felicitated by Justice Dipak Misra, former CJI

7. Lawyer of the year, 2022

On 28th April, 2023, in the same function 18 District Court lawyers having been adjudged 'Lawyers of the Year-2022' were felicitated along with senior lawyers of the High Court Bar Association and the former and present Advocates General. This was for the second consecutive year that 'Lawyer of the year' awards were presented to district court lawyers, perhaps unique in the country. The function was presided over by Justice Dipak Misra, former Chief Justice of India in the presence of Dr. S. Muralidhar, Chief Justice and the Judges of the High Court of Orissa and Arvind P. Datar, Senior Advocate, Supreme Court of India.

The 18 District Court lawyers are Shri Pramod Kumar Bohidar from Balangir, Shri Rajaram Mohapatra from Balasore, Shri Sankar Prasad Puruseth from Bargarh, Ms. Seema Mohapatra from Bhadrak, Ms. Soumya Sucharita Deo from Cuttack, Shri Hrusikesh Pradhan from Ganjam, Shri Sandeep Samal from Jajpur, Shri Birendra Satpathy from Jharsuguda, Shri Sachida Nanda Sahu from Kalahandi, Shri Ananta Prasad Polai from Kendrapara, Ms.

Archana Dash from Keonjhar, Shri Deepankar Panigrahy from Koraput, Shri Bibhu Asisdan Sagaria from Malkangiri, Ms. Husna Nesan, Shri Mahavir Prasad from Mayurbhanj, Shri Amitav Mishra from Nayagarh, Ms. Pramodini Mahapatra from Rayagada and Shri Satyabrata Dash from Sambalpur.

They were selected on the basis of their work for the entire calendar year of 2022 evaluated by the jury consisting of the District Judge, the Chief Judicial Magistrate and 3 Senior Members of the Bars from the respective districts having experience of 20 years or more. The criteria for selection were the number of cases handled by the lawyer independently during the year, number of such cases e-filed by the Lawyer during the year and the number of judgments or final orders in contested cases handled independently by the lawyer during the year. It was also stipulated that the lawyer should have conducted at least one trial in civil or criminal case entirely by himself or herself, during the year by appearing for any of the parties.



Arvind P. Datar, Senior Advocate, Supreme Court of India



The Chief Justice felicitating a lawyer

8. State level Quiz competition for judicial officers

State Level Quiz for the Judicial Officers was held in 3 phases- 2 Preliminary Rounds, 6 Zonal Rounds and the Grand Finale in collaboration with an expert organisation Qshala.

On 2nd July, 2023 the Grand Finale held at Odisha Judicial Academy in the presence of Dr. S. Muralidhar, Chief Justice and the Judges of the High Court of Orissa. The questions asked in the quiz were on the topics of Law,

Politics & Social Studies from the lens of history, culture, music, movies, art and technology. The Koraput team won the Quiz competition and Gajapati and Sundergarh teams became the 1st and 2nd runners-up respectively. Prizes were distributed to the teams by Dr. S. Muralidhar, Chief Justice, Justice Sangam Kumar Sahoo and Justice Chittaranjan Dash in a function held after the grand finale.



Mr. Sachin Ravi of QShala conducting the Quiz in Grand Finale



The winners, 1st Runners Up & 2nd Runners Up receiving the prizes from the Chief Justice & Judges

9. Visit of Smt. Droupadi Murmu, Hon'ble President of India on the occasion of valedictory ceremony of the High Court of Orissa

On 26th July, 2023, the High Court of Orissa achieved a milestone as it completed 75th year of its existence. On completion of the 75th year, a Valedictory Ceremony was held at Jawaharlal Nehru Indoor Stadium, Cuttack. The function was graced by Smt. Droupadi Murmu, President of India as the Chief Guest. A Souvenir of the High Court of Orissa containing messages of the President of India, the Prime Minister of India and various high dignitaries along with articles of legal luminaries and judicial officers on topics of law in general and the institution in particular was released in the function. A Commemorative Postage Stamp featuring the image of the High Court of Orissa was also released on the occasion. The High Court of Orissa said to be the ninth High Court in the country for which a Commemorative

Postage Stamp has been released by the Postal Department.

Professor Ganeshi Lal, Governor of Odisha and Mr. Jagannath Saraka, Minister of Law, ST & SC Development, Minorities & Backward Classes Welfare, Government of Odisha attended the function as the Guests of Honour. Dr. Justice S. Muralidhar, Chief Justice, High Court of Orissa, Justice Subhasis Talapatra, Judge, High Court of Orissa, Mr. Ashok Kumar Parija, Advocate General of Odisha and Mr. Dharanidhar Nayak, President, High Court Bar Association were present in the function. Among others, the sitting and former Judges of the High Court, Senior Advocates, office bearers and members of the High Court Bar Association, officers of Postal Department and the State Government also attended the function.



Smt. Droupadi Murmu, the Hon'ble President of India in the Valedictory Ceremony

10. Visit of the Hon'ble President of India to Museum of Justice and the High Court premises

After the valedictory ceremony, the Hon'ble President of India visited the Museum of Justice

and the High Court premises.



The Hon'ble President of India in the Museum of Justice



The Hon'ble President of India in the High Court



The Hon'ble President of India, the Governor of Odisha, Chief Justice and Judges

11. Thanksgiving ceremony on successful completion of the 75th year celebration of the High Court of Orissa

The 75th year celebration of the High Court of Orissa commenced on 26th July, 2022 and ended on 26th July, 2023. During these days various events were held under the aegis of specially constituted Judges' committees to commemorate the mile stone such as organising of sports and cultural meets among the employees, felicitation of advocates,

former Judges, legal assistants, holding quiz competition among law students and judicial officers etc. Hence in a unique way, on 28th July, 2023 the High Court of Orissa organized a function at Odisha Judicial Academy to celebrate on successful completion of 75years and acknowledge all the Judges and members of the registry for their contribution.



The Chief Justice being felicitated by Judges

Accounts

In every financial year, the establishment of the High Court of Orissa places demands before the State Government for making necessary provision of funds under two different heads of account: Infrastructure Development and Administrative Expenses.

Infrastructure Development covers construction of new Court and office buildings, residential bungalows, quarters, Court Guest Houses repair and renovation of such buildings and up-gradation of the existing infrastructure. Pursuant to a proposal by the High Court, the State Government makes provision of funds for such projects on annual basis. The buildings meant for Courts, Offices and Guest Houses are classified as “Non-Residential Buildings”. The bungalows and quarters are classified as “Residential Buildings”.

During the financial year 2023-24, funds of Rs.30,73,63,000/- were made available by the State Government for new construction of non-residential projects and Rs.50,00,00,000/- for repair and renovation of residential buildings of Judges, officers and staff. While Rs.67,95,94,000/- has been released in favour of the executing agencies by the end of December, 2023, the entire amount for new construction, repair and renovation has been released in their favour for execution of work. The remaining amount will be utilized within the financial year 2023-24. The projects undertaken during the year have been indicated in a separate chapter titled ‘Infrastructure’.

Administrative expenditure includes salary and emoluments, transport expenses, leave travel concession, electricity, water charges, telephone, motor vehicles, other contingencies, up gradation of computer facilities and sumptuary allowance etc. Pursuant to a proposal submitted by the High Court, the State Government makes provision of funds in the above sub-heads under the major head ‘Administrative Expenditure for Establishment’.

During the financial year 2023-24, there was budgetary provision of Rs.201,81,71,000/- towards administrative expenses of the High Court, out of which a sum of Rs.110,38,73,000/- was spent under different heads from 1st April, 2023 to 31st December, 2023. Rs.77,50,41,000/- towards salaries and allowances, Rs.3,39,58,000/- towards electricity charges, Rs.98,000/- towards water charges, Rs.5,59,85,000/- towards telephone charges, Rs.1,54,91,000/- towards purchase and maintenance of vehicles, Rs.7,07,45,000/- towards computer upgradation and maintenance and Rs.15,25,55,000/- towards other contingencies.

The details of the budgetary allocation and expenditure for infrastructure development and establishment of the High Court and the Budget of the High Court have been indicated in a tabular form at **Appendix-J**.

CHAPTER



ALLIED ORGANS



Odisha State Legal Services Authority(OSLSA)



Left to right: Smruti Ranjan Mohapatra, Deputy Secretary, Dr. Justice Bidyut Ranjan Sarangi, Executive Chairman, Sudipta Acharya, Member Secretary and Srujan Saraswat, Assistant Secretary

Hon'ble Dr. Justice Bidyut Ranjan Sarangi, Judge, High Court of Orissa is the Executive Chairman of Odisha State Legal Services Authority (OSLSA) since 11.08.2023. Shri Sudipta Acharya is the Member Secretary of OSLSA. Access to justice for all is not just a constitutional goal but it is the driving force behind all the legal services institutions in India. With the passage of time, dynamic roles and responsibilities have been assigned to legal services institutions and OSLSA and its field units are not behind in discharging its pious obligation.

The prime objective of the OSLSA is to provide free and competent legal services to the weaker sections of the society; and to ensure that opportunities for securing justice are not denied

to any citizen by reason of economic or any other disability. Apart that OSLSA organizes Legal Awareness Camps especially in rural areas, slums or labour colonies with the dual purpose of spreading legal literacy and legal awareness amongst the people and in particular to educate weaker sections of the society about their rights, benefits and privileges guaranteed by social welfare legislation and other enactments as well as the administrative programmes and takes measures to encourage settlement of disputes by way of negotiation, arbitration, conciliation and mediation, and organizes Lok Adalats for early settlement of disputes and facilitates expeditious disposal of cases. OSLSA is functioning through its state-wise network of legal services institutions in all the 30 Districts and 114 Taluks of the State.



Information relating to various programmes and initiatives carried out by OSLSA and its field units during the year-2023

1. Lok Adalats

a. National Lok Adalats

As per the Lok Adalat Schedule for the year, 2023 received from National Legal Services Authority (NALSA), New Delhi, four National Lok Adalats were organized in the High Court of Orissa and in the District & Sub-ordinate Courts. As many as 2610 cases including motor accident claim appeals, land acquisition appeals, electricity disputes, bank matters, criminal compoundable matters and other matters were placed in the High Court of Orissa. 331 cases

were settled involving compensation, fines and recovery of loan amount of Rs.18,66,52,541/-.

Similarly, in the District and Sub-ordinate Courts, 57,088 cases were settled/disposed of in Lok Adalats involving Rs.5,06,76,65,851/- towards realization of fines in criminal cases and award of compensation in other cases. Further, 19,979 no. of Pre-litigation disputes involving Rs.72,24,57,023/- were settled.

Details of National Lok Adalats in the High Court

Date of Lok Adalat	Cases placed	Cases settled	Amount involved (In Rs.)
1 st National Lok Adalat on 11.02.2023	617	54	2,86,05,986/-
2 nd National Lok Adalat on 13.05.2023	650	61	3,51,39,200/-
3 rd National Lok Adalat on 09.09.2023	534	97	4,76,88,355/-
4 th National Lok Adalat on 09.12.2023	809	119	7,52,19,000/-
Total	2610	331	18,66,52,541/-

Details of National Lok Adalats in the District Judiciary

Nature of cases	Cases placed	Cases settled	Amount involved (In Rs.)
Pending Cases	170591	57088	5,06,76,65,851/-
Pre-litigation Disputes	417009	19979	72,24,57,023/-
Total	587600	77067	5,79,01,22,874/-

b. District Level Lok Adalats

As per the Lok Adalat Schedule for the Year, 2023 received from NALSA, New Delhi, three District Level Lok Adalats were held on 11.03.2023, 08.07.2023 and 14.10.2023 respectively on the subjects, as specified by NALSA, i.e. MAC Cases, IPR matters, Consumer matters, Land Acquisition Cases, Family disputes, Revenue cases, other ancillary matters and other cases. In the said Lok Adalats, 4,12,521 no. of cases were taken up and out of the same 3,53,739 cases were settled involving Rs.70,89,14,944/-as compensation, fines and revenue amount etc.

Further, in view of kind minutes of the Hon'ble Executive Chairman, OSLSA, a District Level Lok Adalat was also held at District headquarters of Balasore, Cuttack, Khurda at Bhubaneswar and Sambalpur including Sub-divisional headquarters of Panposh (Rourkela) in the district of Sundargarh on the cases U/s.138 N.I.Act only on 16.04.2023. In the said Lok Adalat, 2059 cases were taken up and out of the same 262 cases were settled.

2. Permanent Lok Adalat (PUS)

Total 22 Permanent Lok Adalats (Public Utility Services) established by this Authority are functioning. During the year, 2023, 1241 Pre-litigation disputes were registered out of which 2029 disputes (including previous pending) were settled.

3. Legal Aid

During the year, 2023, 19,271 applications seeking legal aid were received. Of these, 18,961 were disposed of by the State Authority, High Court Legal Services Committee and other field units. In 2853 matters, Panel Advocates

were engaged, in 12,967 matters counseling was offered and in 3141 matters, other services which include legal assistance was provided to the beneficiaries for availing the benefits of Centre/State Govt. Schemes.

4. Legal Aid Defense Counsel System

As per the instructions received from NALSA from time to time, steps have been taken by OSLSA to implement Legal Aid Defense Counsel System in all the 30 DLSAs of the State. During the 1st Phase, steps were initiated by OSLSA to establish Legal Aid Defense Counsel System Offices in the districts of Angul, Bolangir, Balasore, Cuttack, Dhenkanal, Ganjam, Kalahandi, Khurda, Koraput, Malkangiri, Mayurbhanj, Nuapada, Phulbani, Sambalpur & Sundargarh. On 26th April, 2023, Hon'ble Dr. Justice S. Muralidhar, the then Chief Justice, High Court of Orissa and Patron-in-Chief of OSLSA inaugurated the Legal Aid Defense Counsel System Offices in the aforesaid 15 DLSAs of the State through Virtual Mode at "AAIN SEVA BHAWAN", Cuttack in the august presence of the Hon'ble Judges of Orissa High Court.





Inaugural ceremony of Legal Defense Counsel System in 15 DLSA in the office of OSLSA "Aain Seva Bhawan", Cuttack on 26.4.2023

As per the instruction of the NALSA a 2-day online training programme had been held for the selected Legal Aid Defense Counsel at Odisha Judicial Academy, Cuttack. Total 12 Nos. of Chief Legal Aid Defense Counsel, 26 Nos. of Deputy Chief Legal Aid Defense

Counsel and 28 Nos. of Assistant Legal Aid Defense Counsel have been appointed in the aforementioned LADCS. After functioning of LADCS, the following no. of cases were received and disposed of.

Number of Districts where LADC office functional as on December, 2023	Number of Sessions cases assigned	Number of Magistrate Courts' cases assigned	Number of bail applications assigned	Number of Sessions cases disposed off	Number of Magistrate Courts' cases disposed off	Number of bail applications disposed of
15	880	889	1696	148	268	1451

5. ADR Centres and Mediation

ADR Centres are functioning in 16 districts. In the districts where ADR Centres have not been established, the District Mediation Centres are taking up mediation and other ADR activities.

As on 31.12.2022, 403 cases were pending before the different District Mediation Centres

for mediation. During, 2023, 1165 cases were received, 99 cases are settled through successful mediation. In 845 cases, mediation failed and in 323 cases, mediation could not commence. Till 31.12.2023, 301 cases are pending for mediation.

a. Mediation Training Programmes

A 40-hour (5 days) Mediation Training Programme (MTP) for the Advocates of western Odisha districts i.e. Sundargarh, Sambalpur and Jharsuguda was organized by OSLSA at Rourkela (District-Sundargarh) from 1.4.2023 to 05.04.2023 under the aegis of the Mediation and Conciliation Project

Committee (MCPC), Supreme Court of India. In the said training programmes, 22 Advocates-Mediators successfully underwent mediation training. Senior Trainers namely Ms. R. Ratna Thara (Advocate) and Dr. S. Padma (Advocate) deputed by the MCPC, New Delhi conducted the training programme.



*Mediation Training Programme (MTP) for the Advocates of western Odisha districts
at Rourkela from 1.4.2023 to 5.4.2023 organised by OSLSA*

- b. A similar 40-hour (5 days) Mediation Training Programme (MTP) was also organised by OSLSA at Jeypore (District-Koraput) involving the Advocates of the districts of Koraput, Kalahandi, Malkangiri, Nabarangpur and Rayagada from 28.06.2023 to 02.07.2023 under the aegis of the Mediation and Conciliation Project

Committee (MCPC), Supreme Court of India. In the said training programmes, 24 Advocates-Mediators successfully underwent mediation training. The Judge Trainers of MCPC namely Mrs. Giribala Singh and Mr. Mahesh Krishnaji Jadhav deputed by the MCPC, New Delhi conducted the training programme.



Mediation Training Programme organised by OSLSA at Jeypore (District-Koraput) involving the Advocates of the districts of Koraput, Kalahandi, Malkangiri, Nabarangpur and Rayagada from 28.06.2023 to 02.07.2023.

6. Awareness and Outreach Programme

During the year, 2023, 2692 Legal Literacy/Awareness Camps were organized by the DLSAs and TLSCs through physical and virtual mode across the State on different legal themes, welfare schemes and on the occasion of observance of different days such as “International Women’s Day on 8th March, 2023, “International Labour Day” on 1st May, 2023, “World Environment Day” on 5th June, 2023, “World Day against Child Labour” on 12th June, 2023, “International Day for the

Older Person” on 1st October, 2023, “National Legal Services Day” on 9th November 2023, “Children’s Day” on 14th November 2023, “Constitution Day” on 26th November 2023, “International Day for Person with Disabilities” on 3rd December, 2023, and “Human Rights Day” on 10th December 2023, as per the Calendar of Activities prepared by OSLSA. Total 2,45,257 people had participated in these awareness programmes.



Awareness programmes in different jails



Awareness Camps organized by the District Legal Services Authorities

7. Campaign for Specially-abled Persons

Pursuant to the kind direction of the then Hon’ble Executive Chairman, OSLSA, a campaign for the Persons with Disabilities

(PWDs) throughout the State of Odisha was launched. The campaign was commenced on 22.05.2023 and continued till 29.05.2023.

The campaign focused on door to door visits to find out actual grievances of Persons with Disabilities whether it relates to Govt. Schemes or legal matters. This campaign involved panel lawyers, Para legal volunteers, officials of District administration and govt. Officers who specially deal with beneficial schemes relating to Persons with Disabilities and it was headed by DLSA Secretaries. In order to enhance the reach-out, brochures, short video were prepared and a toll-free helpline number for

Persons with Disabilities was generated for the above purpose. That apart, help of digital platform, social media were taken and the news in both English and vernacular language were circulated.

During the aforesaid campaign, 8169 nos. of application for legal assistance were received, out of the same instant benefits were provided to the above 2000 no. of Persons with Disabilities(PwDs) in consultation with different Government Departments.



8. Opening of Help Desk by OSLSA to provide aid and assistance to victims of Train accident and their relatives.

On 2nd June 2023, a horrific train accident happened in Balasore district, in the state of Odisha in which total of 294 people died and 1,175 others were injured. In quick response, the Odisha State Legal Services Authority, Cuttack immediately instructed DLSAs namely Cuttack, Balasore, Mayurbhanj, Bhadrak, Khurda & Jajpur to open Help Desks. Help desks were opened comprising PLVs, Panel lawyers and other official Staffs to provide aid & assistance to victims of train tragedy and their relatives.



9. State-wise Plantation Drive by OSLSA

With an aim of mass plantation, re-forestation of destroyed forests and afforestation solving problems caused by forest degradation, planting trees for ecological balance and keeping the earth in a healthy and green zone, under the direction of the Hon'ble Executive Chairman of Odisha State Legal Services Authority, a State-wise Plantation Drive was held on 7th July, 2023 (Friday) on the occasion of "Van Mahotsav Week" by involving 30 District Legal

Services Authorities (DLSAs), 114 Taluk Legal Services Committees (TLSCs), Panel Lawyers, Para Legal Volunteers (PLVs) and students & teachers of all High Schools functioning in the districts including the schools having Student Legal Literacy Clubs (SLLCs) run in the State of Odisha. This plantation programme was conducted in collaboration with the Forest & Environment Department, and School & Mass Education Department, Govt of Odisha.



Observance of 'Van Mahotsav Week' by OSLSA at Khannagar High School, Cuttack on 7.7.2023

10. Special Awareness Camp on PoSH Act

On 14.09.2023, a special awareness programme was organized by all the DLSAs involving all Judicial Officers and Staffs of the Court for the purpose of sensitization on various provisions of Prevention of Sexual Harassment at Work Place Act, 2013 and on directions of Hon'ble Apex Court imparted in Aureliano Fernandes Vrs. State of Goa and Others. Similarly, awareness programmes were organized by DLSAs in month of October at Collectorate/Tehsil/Block offices of their respective districts and in the month of November at Hospital & other offices and in the month of December at Schools/Colleges & other offices on the provisions of the aforesaid Act.



Special awareness camp on POsH Act

11. Observance of World Mental Health Day

The Odisha State Legal Services Authority in association with the District Legal Services Authority Cuttack has observed “World Mental Health Day” on 10th October, 2023 at Department of Psychiatry, S.C.B. Medical College & Hospital, Cuttack. In the said Programme, the Member Secretary OSLSA & the then District Judge -cum- Chairman District

Legal Services Authority Cuttack, presented their valuable talk on aims & objective of the observance of the World Mental Health Day and various aspects of Law relating to Mental Health Care and provisions of Legal Aid & Services for Mentally disabled persons. The dignitaries had also distributed fruits amongst the patients of Mental ward.



*Glimpses of Observance of World Mental Health Day at Department of Psychiatry
S.C.B. Medical College & Hospital, Cuttack*

12. Inauguration of Legal Aid Clinic for inmates of Biju Pattanaik Open Air Ashram, Jamujhari & Driving Training Centre for their rehabilitation

A Legal Aid Clinic and a driving Training Centre for the rehabilitation of convicts of Biju Pattanaik Open Air Ashram at Jamujhari, Khurda was inaugurated by Hon'ble Dr. Justice Bidyut Ranjan Sarangi, the then Acting Chief Justice, High Court of Orissa and Executive Chairman, Odisha State Legal Services Authority, Cuttack on 08.11.2023 with an aim to cater to the legal needs of the convicts and bridge the gap between the convicts and concerned

departments, and it is also meant to facilitate various benefits which are available to them under NALSA, SOP for their premature release.

The driving training Centre has been setup at the instance of OSLSA and DLSA, Khurda in collaboration with the Transport Department. This would help in rehabilitation of the convicts when they will step into the society after their release and help them making better humans.



Glimpses of Inauguration of Legal Aid Clinic for inmates of Biju Pattanaik Open Air Ashram, Jamujhari & Driving Training Centre for their rehabilitation

13. Commemorative Ceremony of the workforce of legal services at state level on the occasion of National Legal Services Day

To acknowledge and appreciate the efforts of the legal aid lawyers of different panels, para-legal volunteers at the community level, students, in prisons and contribution of educational institutions at Colleges and Schools level, who have made significant impact in providing legal assistance and support to the individuals in need, the Odisha State Legal Services Authority organized a Commemorative Ceremony in august presence of Hon'ble Dr. Justice Bidyut Ranjan Sarangi, the then

Acting Chief Justice, High Court of Orissa and Executive Chairman OSLSA "at Aain Seva Bhavan", Cuttack on 9th November 2023 on the eve of "National Legal Services Day". In the said programme the Hon'ble Dr. Justice Bidyut Ranjan Sarangi, the then Acting Chief Justice, High Court of Orissa and Executive Chairman Odisha State Legal Services Authority felicitated the best panel lawyer, best student, community, prison PLVs and best educational institution at College and School level.

Besides that all the field units i.e.; 30 DLSAs and 114 TLSCs also observed “National Legal Services Day” by organizing awareness and

Legal Literacy camp, rally, through mobile vans, newspapers and social media.



Glimpses of Commemorative Ceremony of the workforce of legal services at state level on the occasion of National Legal Services Day

14. Legal Services Stall of OSLSA at Historic Baliyatra Ground Cuttack.

In order to create awareness amongst the general public during the Baliyatra Festival-2023, a Legal Services Stall was set up by the Odisha State Legal Services Authority at Historic Baliyatra ground, Cuttack. The said Stall was inaugurated by Hon'ble Shri Justice Arindam Sinha, Judge, High Court of Orissa and Chairman, High Court Legal Services Committee on 28.11.2023 in presence of Hon'ble Judges of the High Court of Orissa and District Magistrate & Collector, Cuttack.

The main objective of installing of the Stall

was to create awareness amongst the general public about the different activities carried out by the OSLSA and field units. Besides that temporary Front Office, Mediation Centre and Legal Aid Clinic were set up in the said Stall by deploying one Advocate-Retainer and two Para-legal Volunteers of the DLSA, on rotation basis during the period from 28.11.2023 to 04.12.2023 to render necessary advice to the persons during their visit to the Stall of OSLSA. Student PLVs from law colleges were also deployed on rotational basis. Further, awareness materials like leaflets, pamphlets

on different activities such as Legal Aid to poor, Lok Adalat, Permanent Lok Adalat (PUS) and Mediation were distributed to the visitors to spread awareness during the Baliyatra Festival-2023.

In this inauguration ceremony, the dignitaries distributed victim compensation benefits and labour benefits such as marriage, education, death benefits to the labourers. That apart, appropriate steps were also taken by the Authority to provide legal aid & services to the applicants on their applications received during the said Baliyatra Festival-2023. In the

above inauguration Programme there were 53 nos. of beneficiaries who received benefits of Rs.26,07,400/- under different beneficial schemes, such as educational benefits, marriage benefits, death benefits and labour registration cards. On 30th November, 2023, Hon'ble Dr. Justice Bidyut Ranjan Sarangi, the then Acting Chief Justice, High Court of Orissa and Executive Chairman OSLSA also visited the Legal Services stall of OSLSA at Baliyatra on 30.11.2023 and distributed benefits like educational benefits, marriage benefits, death benefits and labour registration cards to the labourers.





*Glimpses of Inauguration of Legal Services Stall of OSLSA at Historic Baliyatra Ground
Glimpses of visit of Hon'ble Dr. Justice Bidyut Ranjan Sarangi, the then Acting Chief Justice,
High Court of Orissa-cum-Executive Chairman OSLSA to Legal Services Stall of OSLSA*

15. Observance of International Day of Persons with Disabilities

On 3rd December, 2023, Odisha State Legal Services Authority and all its field units i.e.; 30 DLSAs and 114 TLSCs have observed International Day of Persons with Disabilities by organizing awareness and Legal Literacy camps.

On the eve of International Day of Persons with Disabilities, a Mega Legal Services Camp for the persons with disabilities was organized by District Legal Services Authority, Khurda at Bhubaneswar in association with District Administration at B.J.B. College ground, Bhubaneswar. The Mega Camp was inaugurated by Hon'ble Dr. Justice Bidyut Ranjan Sarangi, the then Acting Chief Justice, High Court of Orissa and Executive Chairman, Odisha State Legal Services Authority on 03.12.2023 in presence

of District Judge-cum-Chairman District Legal Services Authority, Khurda, the Collector-cum-District Magistrate Khurda, Member Secretary and other officers of OSLSA & other Judicial Officers of Khurda District.

The main object of organizing of the aforesaid Mega Camp was to create awareness amongst the persons with disabilities on different activities carried out by the OSLSA and field units with various provisions of law relating to them. On that day, the dignitaries distributed instant benefits to the persons with disabilities under different schemes of both Central & State Government like benefits of Madhubabu Pension Yojana, Marriage Assistance, Wheel Chair, Tri-Cycle, Laptop & Students' Scholarship.



Glimpses of observance of International Day of Persons With Disabilities at BJB College Ground, Bhubaneswar

16. Victim Compensation Scheme

During the year, 2023, 2426 no. of applications under the Victim Compensation Scheme were received by DLSAs throughout the State. 2784 applications (including previous

pending applications) were decided and Rs. 34,30,47,663/- was disbursed towards compensation to the beneficiaries by the District Legal Services Authorities (DLSAs).

17. Training Programmes for Panel Lawyers and Para-legal Volunteers (PLVs)

The training module devised by NALSA was followed for training of panel lawyers. During the year, 2023, 60 nos. of training programmes for Panel Lawyers were organized by the field

units, wherein, 1596 Panel Lawyers were given training. Similarly, 09 no. of induction/refresher training programmes were also organized for PLVs and total 357 PLVs were imparted training.

18. Nyaya Sanjog

A State level Legal Assistance Establishment namely, "Nyaya Sanjog" is functioning in the office of the OSLSA since 21st June, 2017 with the aim and objective of providing multiple legal services under one roof. There is a dedicated Help Line number-1516.

During the year, 2023, 762 persons approached the Legal Assistance Establishment (Nyaya Sanjog) and they were provided with the required legal aid, assistance and consultation.

19. Front Office

135 Front Offices are functioning in the DLSAs and TLSCs. During the aforesaid period, 2035 persons approached the Front Offices and

1768 persons were provided assistance in the aforesaid Front Offices.

20. Jail Legal Services Clinics and Village Legal Aid Care and Support Centres

87 Jail Legal Services Clinics are functioning in the DLSAs and TLSCs. During the year, 2023, 14,708 inmates approached the Jail Legal Services Clinics and out of them, 6474 inmates were provided with assistance. Similarly,

158 nos. of Village Legal Aid Care & Support Centres are functioning under the DLSAs and TLSCs. During the year, 2023, 7368 persons approached those Centres and 4959 persons were provided assistance in the Centres.

21. Organization of Jail Adalats

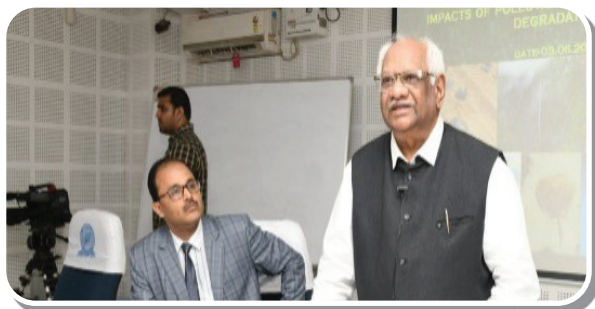
Based on the directions of the High Court, imparted in W.P.(c) No.6610 of 2006 and W.P.(c)(PIL) No.3368 of 2014, Jail Adalats were

conducted by the field units during the year, 2023. In these Jail Adalats, 276 cases were taken up, of which, 07 cases were disposed of.

22. One Day Training programme on various Provisions of Environment Laws

On 3rd June 2023 one day training programme on various provisions of Environment Laws was organized by Odisha Judicial Academy in collaboration with Odisha State Legal Services

Authority and Pollution control Board. In the afore said training programme Secretaries of 30 DLSAs had participated and got training on various provisions of Environment Laws.



23. Facilitating the students to have basic knowledge on Legal Services

Hon'ble High Court of Orissa has initiated a programme since the Children's Day 2021 for the visit of the students of different educational institutions to the High Court of Orissa, Odisha State Legal Services Authority and Judicial Academy on different holidays to make them

aware of those institutions. Accordingly, the students of different Schools & Colleges have visited OSLSA in 2023 and were enlightened on various aids and services provided by legal services institution and got basic knowledge on functioning of OSLSA and its field units.

24. Student Legal Literacy Club

Following the guidelines issued by NALSA, total 746 no. of Student Legal Literacy Clubs have already been established in the State, each consisting of not more than 25 student members. There is one Teacher-in-Charge being nominated by the Head Master/Principal of the concerned school for each such club. The Club functions under the supervision of the Secretary, DLSA and District Education Officer of the concerned district. The student members

of the Student Legal Literacy Clubs are being involved in the legal literacy/awareness camps as and when organized by the DLSAs/TLSCs as well as in the outreach campaign launched by NALSA.

As per the common minimum programme of NALSA, District and Zonal Level Legal Literacy Competitions on subjects like Essay, Debate, Painting and Skit are being organized by all the DLSAs of Odisha.



Glimpses of Legal Literacy Competitions at District and Zonal Level

25. Mobile Legal Services Van

To create awareness about legal rights among general public of far-flung areas of the State, OSLSA has deployed Mobile Legal Services Van with the prime objective of propagation of the legal aid schemes, spreading awareness through public interaction in order to make people aware of their legal rights, and the role, activities and functioning of legal services institutions including various legal services schemes formulated by NALSA as well as the various social welfare schemes of both Central & State Government. DLSAs also depute Panel Lawyer, PLVs during the visit of Mobile Legal Services Van with an aim to create awareness and to provide instant legal aid & assistance

to general public and also to receive legal aid applications from general public. In the Mobile Legal Services Van, awareness through audio visual display system on NALSA theme song, Schemes of NALSA, various provisions of Law and various social welfare schemes of both Central & State Govt. are being displayed during its visits.

During the period, Mobile Legal Services Van was deployed at Angul, Balasore, Bhadrak, Cuttack, Deogarh, Dhenkanal, Jagatsinghpur, Jajpur, Kendrapara, Phulbani, Puri, Nayagarh, and Sundargarh Districts of Odisha for creating legal awareness among the general Public of far-flung areas.



Glimpses of awareness through Mobile Legal Services Van

26. Internship

Young academic talent of Law Students is associated with the District Legal Services Authorities under this establishment of Odisha State Legal Services Authority through the internship programme. 30 students have completed the Internship Training Programme during year, 2023 under the District Legal Services Authority, Khurda, Angul, Cuttack, Deogarh, Kalahandi and Sundargarh. They have been given opportunity to know about

the policies, schemes and how to provide free and competent legal services to the weaker sections of the societies by providing legal services through Lok Adalat. All the students were enlightened about the opportunities for securing justice to any citizen which are not denied by reason of economic or other disabilities. They were also made aware about the functioning of LADCS.

27. Visits of Jails and CCI by DLSAs

The DLSA Secretaries are regularly visiting jails in every month in order to ascertain the living conditions of UTPs. They are also paying un-scheduled visits to the jails and they are finding out the irregularities in basic facilities provided in jails and they are making necessary intimation to the concerned jail authority for its rectification. Also, one of the major objects of jail visit is to find out the UTPs who are languishing in jail custody due to non-furnishing of bail bond. In these circumstances, DLSAs are engaging panel lawyers for interaction with those UTPs and also taking necessary steps towards filing of applications for modification of their bail conditions before concerned Court

and in obtaining socio-economic report for those UTPs. In cases of UTPs who have engaged private lawyers, personal interactions are being done by Secretary, DLSA and that concerned private lawyer for early release of UTP.

Similarly, DLSAs are visiting Child Care Institutions in order to ascertain the basic needs and requirements of a child and they are also ensuring implementation of all necessary guidelines which are framed for protection of interest of a child residing in a child care institution.

28. Success Stories

(i). Reunion of mother with her son

One Anandini Das, wife of late Jhadeswar Das residence of Kamarda village, District Balasore was sent by Hon'ble High court of Orissa to Odisha State Legal Services Authority for redressal of her grievance. The complainant on reaching at Odisha State Legal Services Authority had disclosed that she was being tortured by her son and daughter-in-law and also stated about her poor health condition. Food was immediately given to her and at the same time Member Secretary, Odisha State Legal Services Authority had directed DLSA Cuttack for immediate medical treatment of the complainant. DLSA Cuttack had admitted the complainant at surgery ward of SCB Medical College & Hospital, Cuttack.



The Member Secretary Odisha State Legal Services Authority had also directed DLSA Balasore to look into the complaint of Mrs. Anandini Das and on 22.02.2023 the DLSA Balasore called the son and daughter-in-law of the complainant to the DLSA office for the purpose of discussion



and amicable settlement and after hours of discussion finally the son and daughter-in-law of the complainant agreed to take the complainant back to her house. On 24.02.2023, the son of the complainant arrived at SCB Medical college and wanted to take his mother with him. His mother also showed her willingness to go with her son. After getting all the clearance, the complainant was discharged from SCB medical. Both the complainant and her son were taken to DLSA Cuttack

where further amicable discussion was carried out. The son had agreed in writing to take care of his mother and to meet all the medical necessity of his mother in future. At that time an emotional moment blossomed at medical premises and DLSA Cuttack as well.

(ii). Addressing the problem of Child Dropout

To ensure Right to Education and safeguard against all forms of abuse, neglect and exploitation a team comprising of ADM Khurda, DCPO Khurda, DEO Khurda, CDMO Khurda, DLO Khurda, DSWO Khurda and SJPU Khurda was constituted under the supervision of Secy., DLSA Khurda to undertake a comprehensive effort to address the issue of child dropouts in the district, through their concerted actions named as “SAMANAYA”. A total of 416 children were identified as dropouts, and measures were taken to minimize the impact and provide them with educational opportunities. The details of these children are as follows:

- Aged from 06-14 Years: 41 children were enrolled in appropriate classes based on their age, ensuring they receive the education suitable for their developmental stage.
- Aged from 15-18 Years: 375 children are currently in the process of being admitted to respective schools, with efforts underway to reintegrate them into the education system.



- To minimize child dropouts and create a supportive environment for continued education, the following steps were implemented:

Career Counselling: Career counselling sessions were conducted in various blocks of Khurda district, aiming to identify schools with high dropout rates. A total of 3,257 students participated in these counselling sessions from 01.01.2023 to 30.06.2023 in the 10 blocks where Career counselling sessions were completed. The objective was to guide and motivate students to stay in school and pursue their education.

District Coordination Committee: Monthly District Coordination Committee (in presence of all team members) meetings were held to ensure the effective implementation of strategies aimed at minimizing school dropouts.

Financial Support: Recognizing the challenges faced by vulnerable children deprived of basic and higher education, financial support was extended to 133 children.

- Steps are being taken by DLSA Khurda in battling this ongoing issues , with involvement of various volunteers and social organizations in addressing the issue of child dropouts by providing counselling, reintegration, tracing and providing financial support.

(iii). Child Beggar & Child Labour

A rescue committee was formed for a week-long operation for prevention of Child Labour & Child beggar, starting from 9th May, 2023 to 17th May, 2023. The committee was chaired by the Secretary of DLSA and supervised by the Additional District Magistrate (ADM) of Bhubaneswar. Other committee members included the Child Development Project Officer (CDPO), District Labour Officer (DLO), Deputy Commissioner of Police (DCP), Special Juvenile Police Unit (SJPU), District Education Officer (DEO), and the Director of Child line.

During the operation, the committee successfully rescued the children who were victims of various forms of exploitation. The rescued children were then placed in the respective Child Care Institutions (CCIs) that were appropriate for their care and well-being. These CCIs are specifically designed to provide support, protection, and rehabilitation services to children who have experienced abuse, neglect, or other forms of harm.



(iv). 78-year-old Mayawati with the burden of 38-year-old different abled son

The local odia daily Newspaper “THE SAMBAD” dtd. 17.12.2022 in Page No.-09 published the news captioned that “୭୮ ବର୍ଷର ମାୟାବତୀ ମୁଣ୍ଡାଇଛନ୍ତି ୩୮ ବର୍ଷର ବିବ୍ୟାଙ୍କ ପୁଅର ବୋଝ” where an old widow woman namely Smt. Mayabati Pradhan aged 78 years of Katabali (Sirki) village of Malikpada GP under G.Udayagiri village was maintaining her 38 years old differently abled son namely Tikindra Pradhan. As per the news report, the old woman was suffering from old age-related ailment. Due to sheer poverty they were not in a position to travel to the hospital in a vehicle, buy medicines for treatment and buy groceries for household purposes.

Taking immediate action, basing on the News report, DLSA Phulbani vide its office letter no. 1854 dtd.20.12.2022 requested the Collector & DM, Kandhamal & CDM & PHO, Kandhamal to take necessary steps for treatment of Tikindra Pradhan.

The Addl. District Magistrate, Kandhamal, Phulbani intimated vide his office Letter No.666 dt.29.03.2023 that the Dist. Social Security Officer, Kandhamal, Phulbani has enquired and submitted a report in this matter. The ADM, Kandhamal further reported vide Dist. Office Order No.1986/Emg. /dt.25.12.2022 that on the basis of the letter Tikindra Pradhan has been sanctioned PwD Pension at@ Rs.500/- per month as well as Rs.10,000/- only from CMRF funds, 2022 in his favour for his treatment.

On receipt of the above letter from the Office of Collector & DM, Kandhamal, Phulbani, one PLV Sri Ashok Kumar Pradhan was also deputed to the Vill-Mukulingia, PS-G.Udayagiri, Dist-Kandhamal in order to intimate Tikindra Pradhan regarding sanction of Rs.10,000/-(Rupees Ten Thousand)only in his favour. Sri Ashok Kumar Pradhan, PLV proceeded to his village and intimated Tikindra Pradhan regarding sanction of fund for his treatment and submitted a report that a sum of Rs.10,000/- has been credited to the bank account of Sri Tikindra Pradhan after verification of his bank passbook.

(v) A Mentally Challenged Woman of Maharashtra returned to her Home

One mentally challenged lady namely Ruksana Bee, aged about 36 yrs, after being rescued from the District Headquarters Hospital, Sambalpur had been sent to Astha Gruha, Sundargarh for her treatment. After few days it came to the knowledge of Secretary, Astha Gruha that the rescued lady was pregnant. Further it was intimated that she was recovering and insisting to return to her native place. Hence, on the application of Secretary, Astha Gruha step was taken by the DLSA, Sundargarh through S.P. Sundargarh to ascertain the address of the rescued lady in the month of March, 2023.

It was ascertained that the mentally challenged lady was from Maharastra and with the help of DSP, HRPC cell, Sundargarh Ms. Amruta Nandini Mohanty and IIC, Akohi P.S., Maharastra the family members of the victim girl were traced out at Barsi Takli, Maharastra who admitted that Ruksana was missing from one year. Thereafter, the brothers of the pregnant mentally

challenged lady came to Jharsuguda by train. The Secretary, DLSA then contacted the RPF staff at Jharsuguda after sending all the details of the family members of the pregnant lady. The victim was sent to Jharsuguda by DLSA, Sundargarh in a vehicle taking all precaution with the help of nursing staff and the staff of 'Astha Gruha' (a Home for the mentally challenged women), Sundargarh and she was handed over to her family members in presence of the RPF staff at Jharsuguda after all the formalities.

(vi). Legal assistance to helpless children

Susil Kumar Dipa, PLV of DLSA, Boudh has brought an issue of two children namely Manini Naik, aged about 11 years and Rupali Naik, aged about 7 years of village- Tikarasahi, Po-Tikarpada, Ps/Dist- Boudh to this office, whose father was working outside the state and was a mentally retarded person due to which he was unable to take care after his family. Also, for this reason the mother of the children also left her home. After that the children were living alone in a broken thatched house in a miserable condition and were living by begging food from neighbours. Also, they were deprived of education and good health. On this, the Secretary made discussion with the DCPO, Boudh over the issue and after intervention of DLSA, the above children were placed before the members of the Child Welfare Committee, Boudh and after field verification and careful consideration, the children were admitted to the Ramakrushna Balashram, Birnarasinghpur, Boudh for their better education, food and health.

(vii). Legal Aid & Assistance to 13yrs.old Blood Cancer patient

As per the news article published in the daily News Paper "The Samaj" on 2nd March and 3rd March, 2023 and getting the intimation from Odisha State Legal Services Authority, Cuttack, it came to the notice of District Legal Services Authority, Nayagarh that a 13 years old boy namely Pradyumna Basanite of Kuruma Bankatara village under Odagaon block was suffering from Blood Cancer and his father, for the treatment of his son, had already sold his paternal land and was in dire need of help from the Govt.

After ascertaining that the news article to be true which needed immediate attention, the Authority made correspondence to the District Administration and Health Dept. A team of Doctors visited the house of the patient and got to know that he was under treatment at BMC Hospital, Mumbai. Necessary communication was made with the parents from time to time and at the same time persuaded the matter with the Govt. for necessary help to the child. Finally, Collector & District Magistrate, Nayagarh intimated the Authority vide his Order Memo No. 580, dated 11.04.2023 that the sanction order was issued for financial help to the child suffering from Blood Cancer out of Chief Minister's Relief Fund. This brought a sense of hope in the eyes of the parents.

(viii). Financial Assistance Under National Family Benefit Scheme

After receiving the newspaper cutting from the Odisha State Legal Services Authority, Cuttack for providing necessary assistance to one Binodini Meher, W/o-Late Sadashiba Meher of Champapur of Biramaharajpur Block, Secretary, DLSA had been to her residential house at Champapur to know the detail and issued letter to the District Social Security Officer, Subarnapur to provide widow pension and to give financial assistance under National Family Benefit Scheme and other benefits under social security schemes. Accordingly, she got her widow pension and financial assistance of Rs.20,000/- under NFBS scheme. Further, her elder daughter got admission in the College free of cost and the Principal was requested to provide books from the college library.

(ix). Opportunity of Education to minor girl

As per application of Ms. Lipika Mohapatra, Para Legal Volunteer of DLSA, Angul, in connection with to provide legal assistance to the minor girl child, who had passed class V and drop out for 8 months. The District Legal Services Authority, Angul instructed the District Child Protection Officer, Angul to take action in the grievance application of Ms. Mohapatra. The DCPO, Angul along with Smt. Jharana Nayak, PONIC, DCPU, Angul visited the village Arampur under Thakurgarh G.P. of Athamallik Block on 20.11.2023 to make an enquiry in respect of the above-mentioned minor girl child. They interacted with the child in presence of her brother and some natives and found that the said girl child lost her father four years back and her mother had absconded eight years ago. She passed class V and dropped out since 8 months. She was produced before the CWC, Angul on 21.11.2023 and placed in Utkal Balashram, Angul & enrolled in Class-VI in P.T.C. High School, Angul.

(x) New Home for a Senior Citizen suffering from Mental Illness

An old lady namely - Auro Behera, W/o- Kalia Behera, At/.O/P.S- Bhanjpur, Ward No.2, Baripada, Dist- Mayurbhanj who is suffering from mental illness, was found abandoned near the village Belgadia, Baripada. She was left by her family and was in very bad condition. After being informed by the Panel Lawyer, the Secretary DLSA, Mayurbhanj Baripada along with PLV rushed to the spot and rescued the old lady. Initially the lady was sheltered in the "SAHARANCHAL NIRASHRAY AASHRAYA STHALI-2 (NULM)", Baripada. Later she was transferred to Old Age Home for better care and protection.

(xi) Rehabilitation of four minor destitute children

Kanak News reported the plight of four destitute children in Charipokharia village under Bhitargarh GP in the Revenue Block of Rajnagar on 03.02.2023 at 6.00PM. Following Hon'ble Chairman, DLSA's intervention, Secretary, DLSA visited the village on 04.02.2023. The children, abandoned by their mother six months ago, were now under the care of their elderly grandparents (65 and 54 years old). Living in a thatched house on government land, they had no proper habitation, nutritious food, least said educational atmosphere.

The Secretary's interaction revealed the children's dire situation. The father was dead, and the family had no other land for a permanent home. They had no agricultural land. They did not have the benefits of several government schemes. The Secretary noted deficiencies in housing, nutrition, education and official documentation.

The District Legal Services Authority, Kendrapara intervened. The Collector and District magistrate sanctioned Devika Barik sponsorship at Rs.4,000/- per month under the mission Vatsalya scheme from 01.03.2023. The District administration assured to provide funds from the Government of India. A pucca house was also assured for them under the PMAY Scheme. Both the daughters were taken under the State Food Security Scheme and were assured with free education. Ararti Barik & Rudra Barik under six years of age were directed to be kept under the care of local Anganwadi Centre. Laxmipriya Barik & Debika Barik were included under Ration Card No.17090913534. The rest two children namely Arati Barik & Rudra Barik were added under SFSS (State Food Security Scheme). They were assured to avail food @ 20kg per month instead of 10 kg. The authorities have taken steps to address the family's immediate and long-term needs.



ଅସହାୟ ନାବାଳିକା ପରିବାରକୁ ଭେଟିଲେ ଜିଲା ସୁରକ୍ଷା ଅଧିକାରୀ

ରାଜନଗର, ୪୮୭ (ନି.ପ୍ର): ରାଜନଗର ବ୍ଲକ ଭିତରଗଡ଼ ପଞ୍ଚାୟତ ବାରିପୋଖରିଆ ଗ୍ରାମର ମୃତ ଅମର ବାରିକଙ୍କ ଅସହାୟ ପରିବାରକୁ ଜିଲା ଆଇନସେବା ପ୍ରାଧିକାରୀଙ୍କ ସ୍ୱାମୀନ୍ଦ୍ର ସାହୁଙ୍କ ସହ ଶିଶୁ ମଙ୍ଗଳ କମିଟିର ଅଧ୍ୟକ୍ଷ ଭଗବତୀ ପ୍ରସାଦ ଦାସ, ଜିଲା ସାମାଜିକ ସୁରକ୍ଷା ଅଧିକାରୀ ପ୍ରଭାସଚନ୍ଦ୍ର ଦାସ, ଆନୁଷ୍ଠାନିକ ଅଧିକାରୀ ବାବଲ ଦାସ, ସଦସ୍ୟା ସ୍ମିତାଞ୍ଜଳି ମହାପାତ୍ର ପହଞ୍ଚି ତାଙ୍କ ପରିବାର ସମ୍ପର୍କରେ ପଚାରି କୁହୁଥିଲେ। ଅମରଙ୍କ ଚିକିତ୍ସା ଓ ଗୋଟିଏ ପୁଅ ସମ୍ପର୍କରେ ତଥ୍ୟ ସଂଗ୍ରହ କରିଥିଲେ। ରିଟେଲରକୁ ଡକାଇ ରାସନକାର୍ଡରେ ଯେତେଦିନ ପର୍ଯ୍ୟନ୍ତ ରାସନ ସାମଗ୍ରୀ ବେଇନାହାନ୍ତି ଶୀଘ୍ର ପ୍ରଦାନ କରିବାକୁ ନିର୍ଦ୍ଦେଶ ଦେଇଥିଲେ। ରେସନକାର୍ଡରେ ନାଁ ନଥିବା ଲକ୍ଷ୍ମୀର ନାମ ଜିଲାପାଳଙ୍କ ଦୃଷ୍ଟି ଆକର୍ଷଣ କରି ରାସନକାର୍ଡରେ ସଂଯୋଗ କରାଯିବ ବୋଲି କହିଥିଲେ। ଏମାନଙ୍କ ପାଇଁ ଥିବା ସରକାରୀ ସୁବିଧା ସୁଯୋଗ ଯୋଗାଇ ଦିଆଯିବ ବୋଲି କହିଥିଲେ।





Odisha Judicial Academy



Left to Right : Swapna Sagarika Mishra, Deputy Director, Badri Narayan Nanda, Additional Director, Justice Debabrata Dash, Chairman, Bidyut Kumar Mishra, Director and Manas Ranjan Padhan, Assistant Director

The Odisha Judicial Academy (in short, hereinafter, OJA), an integral part of the High Court of Orissa, is the nodal organisation entrusted with the responsibility of providing training to Judicial Officers, Staff along with all others who are part of the justice delivery mechanism in the State of Odisha. OJA strives to bring out the excellence in the Judicial Officers of the State and optimise their performance through various training programmes.

OJA has its own annual training calendar duly prepared under the guidance of the Hon'ble Odisha Judicial Academy & Training

Committee, High Court of Orissa and approved by National Judicial Academy. The training activities are conducted as per the above calendar which include induction training programmes for newly recruited Civil Judges (Junior Division) and District Judges directed recruited from Bar. Further, OJA conducts foundation training programmes for officers in the cadre of District Judge appointed through usual Promotion and Limited Competitive Examination (UP & LCE). Most importantly, OJA conducts refresher training programmes for in-service judicial officers in three stages i.e. Early Career Training (JMFCs, SDJMs, Civil

Judges(Jr. Divn.), Mid- Career Training (Civil Judge (Sr. Divn.), CJMs, etc.) and Advanced Career Training (ADJs, DJs, Special Court Judges etc.). It also conducts training programmes to sensitise Public Prosecutors, members of the Juvenile Justice mechanism, Police Officers, POCSO mechanism, Court Managers, Staff of the District Courts and the Hon'ble High Court of Orissa etc. Special programmes are also conducted by OJA from time to time with approval of Hon'ble Committee. The training modules of OJA not only take care of the legal requirements but also aim at physical and mental well-being of the trainees.

In order to decentralise OJA and to take the training activities to the grassroot level, five Regional Judicial Academies have been established at Angul, Balasore, Ganjam at Berhampur, Sambalpur and Koraput at Jeypore for cluster districts of the State of Odisha on 13th May 2023, which are actively and effectively conducting training programmes at regional level, without wastage of valuable judicial man-days. The Court Staff, Advocates, Advocate's clerk and Judicial Officers posted in remote areas are getting benefitted from such Regional Judicial Academies.

With the introduction of new technologies, the training programmes of OJA have also been

suitably modified to incorporate subjects such as ICT, Paperless Courts, Vulnerable Witness Deposition Centre Rules, Video Conferencing Rules etc. That apart, germane topics such as – gender equality, issues of persons with disabilities, environment protection, access to justice etc. are also included in the training calendar of OJA. Furthermore, kind instruction of the Hon'ble Apex Court in the cases of Aureliano Fernandes Vrs. State of Goa & Others on Sexual Harassment, Gohar Mohammed Vs. UPSRTC and Others – CA 9322 / 2022 on MACT, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51 and Siddharth Vs. State of UP, (2022) 1 SCC 676 on arrest, detention, bail etc. have been incorporated in the training modules as well as training course materials of OJA for imparting effective training.

During the year 2023, OJA organised and conducted, one (1) induction programme, two (2) foundation training programmes, twenty-seven (27) Refresher programmes, several Hands-on Training programmes, ICT & E-Courts training programmes and many other special programmes and workshops. In the entire year, OJA trained almost all the Judicial Officers of the State with 2193 individual training exposures, trained 1529 Staff and host of other stake holders.

Highlights of Important Programmes at OJA during the Year 2023

1. Induction Programmes

The Induction training of the 50 Civil Judges (Jr. Division) of 2021 commenced on 7th January 2023 with the Oath taking ceremony, wherein Dr. Justice S. Muralidhar, Hon'ble the Chief Justice, High Court of Orissa and Patron-in-

Chief, OJA administered Oath to the trainee officers in presence of the Hon'ble Judges of High Court of Orissa. The training activities continued throughout the year.



2. Foundation Training

Institutional and practical training sessions were conducted for the 19 Judicial Officers in the cadre of District Judges appointed through Usual Promotion & Limited Competitive Examination (UP&LCE) (1st Batch of 2023) by using the Online platform from 9th January

2023 to 10th February 2023. Similarly, the institutional training for the 10 Judicial Officers (UP&LCE) (second batch of 2023) was conducted through virtual mode from 1st December 2023 to 21st December 2023.

3. Refresher Training Programme for Judicial Officer

Twenty-Three (23) Refresher training programmes for Judicial Officers of different cadres in the district judiciary were conducted during year 2023. All the programmes were

of two-day duration during which various important topics of law were covered by erudite resource person benefitting 489 numbers of Judicial Officers.



4. Refresher Training Programme for Staff

During year 2023, OJA conducted four (4) numbers of Refresher training programmes

for staffs of District Courts as well as High Court as per the approved training calendar.

5. Hands-on and ICT & e-Courts Training Programmes

During the year 2023, 9 nos. of Hands-on Training programmes for Judicial Officers in conducting Virtual hearing, 13 nos. of Hands-on Training programmes on "Paperless Court", 12 nos. of Hands-on Training programmes on "Examination of vulnerable witness" and 3 nos.

of ICT & e-Courts Training Programmes and 3 nos. of ICT & Hands-on Training on various e-services were conducted by the Academy. These programmes benefitted a good number of Advocates, Advocate's clerks, court staff and almost all the Judicial Officers of the State.

6. Achievements of the Regional Judicial Academies

From the date of inauguration of five Regional Judicial Academies on 13th May 2023 till 31st December, 2023, a total of 40 refresher training programmes, 55 Hands-on training programmes and 25 ICT & Hands-on training

programmes on various e-services for judicial officers and staff have been conducted, in which 976 judicial officers and 1360 Staff have been benefitted.



7. Special Programmes organised at Odisha Judicial Academy during the year 2023

- a. On 7th January, 2023, a programme was organized at OJA with a view to facilitate the students to have basic knowledge on the working of our judicial system of our State and in the said programme Hon'ble Dr. Justice Sanjeeb Kumar Panigrahi, Judge, High Court of Orissa along with two distinguished lawyers of Hon'ble High Court of Orissa interacted with the 40 students of Kendriya Vidyalaya, No.1, Bhubaneswar accompanied by their 3 Teachers / Staff.
- b. On 3rd February, 2023, Hon'ble Dr. Justice D.Y. Chandrachud, Chief Justice, Supreme Court of India, virtually inaugurated the Virtual Centres of the High Court in 10 Districts of Odisha. A function was organised at OJA for the above purpose and Hon'ble the Chief Justice and Hon'ble Judges of the High Court of Orissa attended the same.
- c. From 10th February 2023 to 13th February 2023, the District Judges' Conference was organized at the Odisha Judicial Academy by the Hon'ble High Court of Orissa, Cuttack.
- d. On 19th February 2023, a special programme was organised by the High Court of Orissa at Chief Justice Gati Krushna Misra Auditorium of Odisha Judicial Academy on the occasion of 75th year Celebration of High Court of Orissa Establishment. In this function, Hon'ble the Chief Justice and other companion
- e. Hon'ble Judges of the High Court of Orissa were present. The employees were performed various programmes like song, Odissi dance, dance, and drama (Makadama) in this programme.
- e. On 31st March, 2023, a felicitation programme was conducted by Hon'ble High Court of Orissa at Chief Justice Gati Krushna Misra Auditorium of Odisha Judicial Academy for the Legal Assistants of the High Court of Orissa, who have completed 30 years of their profession. The Legal Assistants were felicitated by Dr. Justice S. Muralidhar, Chief Justice and Hon'ble Dr. Justice B.R. Sarangi and Hon'ble Sri Justice S. Talapatra, Judges, High Court of Orissa. Hon'ble Judges of High Court Orissa and other dignitaries also graced the occasion. Sri B.K. Rout, President and Sri D.K. Mohanty, Secretary, Legal Assistants Association were present.
- f. On 15th April, 2023, Grand Finale of the State Level Law Quiz function was held at the Justice Gati Krushna Misra Auditorium of the Odisha Judicial Academy. In this function, Hon'ble the Chief Justice and other companion Hon'ble Judges of the Hon'ble High Court of Orissa were present. Mr. Raghav Chakravarthy, Co-Founder & CEO of Qshala conducted the Quiz programme.
- g. On 28th April, 2023, a felicitation programme was organized for the former and present Advocate General, Lawyers having completed 50 years of

practice and “Lawyer of the year 2022” awards were presented in presence of Hon’ble Mr. Justice Dipak Misra, Former Chief Justice of India, Dr. Justice S. Muralidhar, Chief Justice and Hon’ble Justice Sri S.K. Sahoo, Hon’ble Justice Sri V. Narasingh, Judge, High Court of Orissa and Hon’ble companion judges of High Court of Orissa. Sri Arvind P. Datar, Sr. Advocate, Supreme Court of India, Sri A.K. Parija, Advocate General, OHC and Sri Dharanidhar Nayak, President, Orissa High Court Bar Association were present, among others.

- h. On 6th & 7th May, 2023, a National Conference on “Digitisation, Paperless Courts and e-Initiatives” was conducted by the High Court of Orissa at Chief Justice Gati Krushna Misra Auditorium of Odisha Judicial Academy. Hon’ble Dr. Justice D.Y. Chandrachud, Chief Justice of India, Hon’ble Sri Justice A.S. Bopanna, Hon’ble Sri Justice Krishna Murari, Hon’ble Sri Justice Rajesh Brindal, Judges, Supreme Court of India, Dr. Justice S. Muralidhar, Chief Justice and Hon’ble companion Judges of High Court of Orissa, Hon’ble Judges of other High Courts including the Chairmen and Members of IT Committee of the concerned High Courts, Members of e-Committee, Supreme Court of India, NIC and 89 numbers of participants including Central Project Coordinators of other High Courts of the Country, Nodal Officers of digitization and District Judges & Chairpersons of District Courts Computer Committee

of all District Courts of Odisha participated in the programme, which was inaugurated by the Hon’ble Chief Justice of India.

- i. On 10th May, 2023, celebration of “one year of Centre for Judicial Archives” was conducted by High Court of Orissa at Chief Justice Gati Krushna Misra Auditorium of Odisha Judicial Academy. In this function Dr. Justice S. Muralidhar, Chief Justice, Hon’ble Justice D. Dash, Hon’ble Dr. Justice S.K. Panigrahi, Judges, High Court of Orissa and Hon’ble companion Judges were present. Chief speaker Prof (Dr.) Prabhu Prasad Mohapatra, Department of History, Delhi University and Dr. Lalatendu Das Mohapatra, Director-cum-OSD, Centre for Judicial Archives were present.
- j. On 13th May, 2023, five newly established Regional Judicial Academies at Angul, Balasore, Ganjam at Berhampur, Koraput at Jeypore and Sambalpur were inaugurated in a grand function held at OJA by Hon’ble Mr. Justice Suryakanta, Judge, Supreme Court of India in the august presence of Dr. Justice S. Muralidhar, Chief Justice, Orissa High Court & Patron-in-Chief, Odisha Judicial Academy, Hon’ble Dr. Justice B.R. Sarangi, Judge, High Court of Orissa & Chairman, Odisha Judicial Academy & Training Committee, Hon’ble Members of Odisha Judicial Academy & Training Committee and Hon’ble companion Judges of High Court of Orissa.



- k. On 19th May 2023, the Annual Cultural Function, 2023 of the Orissa High Court Cultural Society of the High Court of Orissa was held at the Justice Gati Krushna Misra Auditorium of OJA and the Odia Drama "Full Tension" was staged by the employees of the High Court.
- l. 40 hours intensive Mediation training programme was organised at Regional Judicial Academy, Koraput at Jeypore from 28th June 2023 to 2nd July 2023 for the Advocates of the cluster districts.
- m. On 3rd June, 2023, a one-day workshop on various provisions of Environmental Laws & Harmful Impacts of Pollution and Environmental Degradation was organized by Odisha Judicial Academy in collaboration with Odisha State Pollution Control Board and Odisha State Legal Services Authority. In the said programme, 72 numbers of participants participated including DLSA secretaries of the District Courts of Odisha, Environmental Scientists and Environmental Engineers were participated.
- n. On 2nd July, 2023, as part of celebration of the 75th year of the High Court of Orissa, a State Level Law Quiz programme was conducted for the Judicial Officers at Odisha Judicial Academy.
- o. From 14th to 16th July, 2023, a National Conference on the topic "Preservation, Archival and Judicial History" was conducted in presence of Hon'ble Mr. Justice S. R. Bhat, Judge, Supreme Court of India & Dr. Justice S. Muralidhar, Former Chief Justice, High Court of Orissa.
- p. On 28th July, 2023, a Plantation Programme was organized by Odisha Judicial Academy in its premises, which was attended by Hon'ble the Chief Justice and Hon'ble Judges of High Court of Orissa / on 28th July, 2023, a Thanks Giving Ceremony was held in the Chief Justice Gati Krushna Misra

- Auditorium Hall of the Odisha Judicial Academy by the High Court of Orissa.
- q. On 26th August, 2023, a State Level Consultation Programme on “Children in Conflict with Law: Prevention, Restorative Justice and Diversion and Alternatives to Detention” organized jointly by the Department of W & CD, Govt. of Odisha and UNICEF under the aegis of the Hon’ble Juvenile Justice Committee, High Court of Orissa at Odisha Judicial Academy. Apart from Judges of the High Court of Orissa, Judicial Officers and other stakeholders of JJ(CPC) mechanism participated in the consultation programme.
- r. On 17th September, 2023, a judicial colloquium was conducted at Odisha Judicial Academy on the subject “Administration of Justice: The District Judiciary”, at Odisha Judicial Academy for the District Judges and CJMs of the State.
- s. On 23rd September, 2023, State-level Judicial Colloquium organized by Odisha Judicial Academy in collaboration with Ministry of Home Affairs and International Justice Mission on the topic “Human Trafficking” wherein Judicial Officers, Public Prosecutors and Police Officers participated.

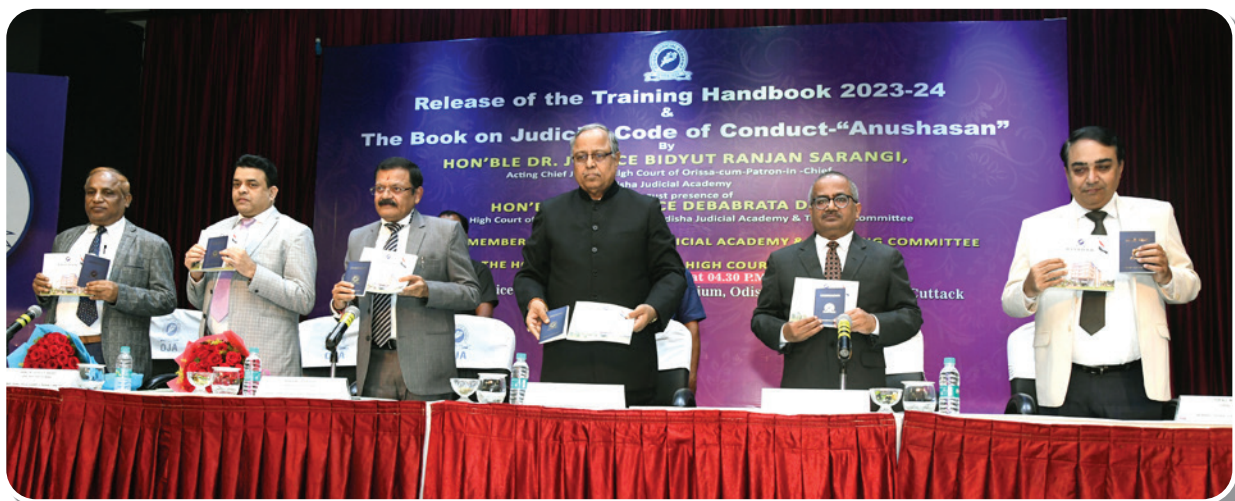


- t. On 24th September, 2023, a Lecture Programme organized by Odisha Judicial Academy on the topic “Life of a Judge” and conducted by Hon’ble Mr. Justice Adarsh Kumar Goel, Former Judge, Supreme Court of India for the Officers in the cadre of Civil Judge (Junior Division) in the State.
- u. From 15th to 17th November, 2023, three days Residential Capacity Building special training programme was organized for the Empanelled Mediators of the State and District Consumer Redressal Commissions by Odisha Judicial Academy in collaboration with Food Supplies and Consumer Welfare Department, Govt. of Odisha. In this

programme, 57 numbers of Empanelled Mediators were present from different districts of the State.

- v. On 26th November, 2023, Constitution Day was observed by the officers and staff of the Odisha Judicial Academy.
- w. On 5th December, 2023, a programme was organised for the release of the training “Handbook 2023-24” of OJA (includes RJAs) and the book on Judicial Code of Conduct “Anushasan” at Chief Justice Gati Krushna Misra Auditorium

of Odisha Judicial Academy, Cuttack. The books were released by Hon’ble Dr. Justice B.R. Sarangi, the then Acting Chief Justice-cum-Patron-in-Chief and all the Hon’ble Judges of the High Court of Orissa graced the occasion. The Officers of the Registry, High Court of Orissa, Officers of the OSLSA and the trainee Civil Judges (Junior Division) of 2021 batch were participated physically and all the Judicial Officers of the State joined the programme through virtual mode.



- x. On 17th December, 2023, a programme for release of Judicial Calendar, 2024 was organized by the High Court of Orissa at OJA, in which top 12 student Artists, whose paintings were selected to be displayed in the Judicial Calendar, 2024 were felicitated.
- y. Departmental Examination, 2023 was held at OJA on 22nd & 23rd December, 2023 for the Civil Judges (Jr. Division). 49 Civil Judges (Jr. Division) appeared in the Departmental Examination as per the provisions of OSJS and OJS (amendment) Rules, 2007.



Centre for Judicial Archives of Odisha and Museum of Justice



Design of the proposed building for the Centre for Judicial Archives.

A. CENTRE FOR JUDICIAL ARCHIVES:

Judicial records are window to the social history of the country and some of the best histories in the world have been written using the judicial records. The idea of documenting the judicial history of Odisha was mooted in the year 2020 during the tenure of Justice Mohammed Rafiq, the then Chief Justice of High Court and it gained momentum after establishment of Record Room Digitization Centre (RRDC) during the tenure of Dr. Justice S. Muralidhar as the Chief Justice.

In 2022, Dr. S. Muralidhar proposed the State Government for creation of the Centre for Judicial Archives and the Centre came into existence by notification no. 14386 dated 1st May 2022 of the Home Department of

Government of Odisha. It started functioning in the building of the RRDC with a Director-cum-OSD, two consultants, one each from the faculty of Law and History and four law researchers, two from law and two from history background, along with necessary support staff. All the judicial records up to the year 1949 were declared as fragile records for the purpose of preservation and archiving so that research work for the judicial history project could be undertaken. Subsequently, it was decided to preserve even the post-1949 records of social relevance and of juristic importance.

Few months after establishment of the Centre, the State Government provided a land near the RRDC for construction of its permanent building. On 28th January 2023 the foundation

stone for the building was laid by Shri Naveen Patnaik, Chief Minister of Odisha in presence of Justice Vineet Saran, former judge, Supreme Court of India and the then Chief Justice of High Court Dr. Justice S. Muralidhar. The construction work of the building is presently going on and expected to be completed within a period of six months.

The Centre for Judicial Archives acquires judicial records from the RRDC and the Record Rooms of the District Courts. RRDC has a unique repository of old judicial records of the

High Courts of Calcutta, Patna and Orissa as well as records of various erstwhile Princely States and the Sadar Dewani Adalat and Sadar Nizamat Adalat dating back to 19th Century, the oldest of them being of the year 1813. The record rooms of district courts too have equally old records, the oldest one being of the year 1808. After acquisition, the records are catalogued, then preserved and digitized. Preservation of records has been entrusted to a specialized agency Indian National Trust for Art and Cultural Heritage (INTACH).

Progress of acquisition, preservation, cataloging and digitization

Acquisition, preservation, cataloguing and digitization are key to archiving. So far, 63833 records have been acquired in the Centre, out of which 47494 records have come from the districts. 21581 records have been catalogued so far and out of them, 12044 records have been catalogued from 1st January to 31st December, 2023. The records are in different languages such as Persian, Odia, Telugu, Bengali and English. In some cases these are written in Odia language, but in Persian or English script. Since the documents are in different languages, Mr. Nadeem Akhtar, visiting faculty in Persian language of Asoka University, Sonenpath, has been engaged to read and provide their gist for the preparation of a descriptive catalogue. He has provided gist of 142 records till 31st December, 2023.

Since the records are 70 to 215 years old and in extremely fragile condition, INTACH is utilizing state of the art technology to conserve them. 2507 records have been conserved so far, out of which 1739 records have been conserved during the period from 1st January, 2023 to 31st December, 2023. Further, 1101 records have been digitized so far, out of which 900 records have been digitized during the period from 1st January, 2023 to 31st December, 2023.

On 18th April, 2023, a Standard Operating Procedure (SOP) for consultation of records by the Scholars was finalized by the RRDC Committee. In accordance with the said SOP, researchers are being facilitated to consult the records of the Centre. 10 records have been consulted for research so far.

Completion of one year of the Centre

On 10th May, 2023 completion of one year of the Centre was celebrated in a function at Odisha Judicial Academy where Dr. Prabhu Prasad Mohapatra, Professor of History of University of Delhi was the distinguished guest.

Dr. Mohapatra lauded the pioneering efforts of the High Court in promoting research into judicial records from historical perspective. Dr. Muralidhar pitched the idea of a National Judicial History Project for benefit of the

country as a whole. A booklet containing the activities of the Centre for Judicial Archives was released and the Webpage of the Centre for Judicial Archives was launched on the occasion.



Judicial History of Odisha, Volume-I

With the vision of documenting the Judicial History of Odisha, Justice Mohd Rafiq, the former Chief Justice of the High Court of Orissa, had constituted a Committee under the Chairmanship of Dr. Justice B.R. Sarangi in 2020. However, due to covid-19 pandemic the work could not proceed much and in 2022 the Centre for Judicial Archives undertook this project under the guidance of the RRDC Committee.

Since there was a need for collection of archival materials for the project, it was felt necessary to visit some leading academic and archival institutions and libraries to survey their repositories. Accordingly, Justice Sashikanta Mishra, the then Member of the RRDC Committee and Dr. Lalatendu Das Mohapatra, the Director-cum-OSD of the Centre visited Asiatic Society, West Bengal State Archives and Centre for Studies in Social Sciences in Kolkata, National Archives, Department of Post and Telegraph and Parliamentary Library in New Delhi. Scanned copies of important archival documents, news paper reports, photographs, paintings from old manuscripts and postage stamps were collected from those institutions. Besides, in 2023 photocopies of the Telugu inscription were collected from Sri Kurma temple of Srikakulam.

Dr Lalatendu Das Mohapatra and his team of consultants and Law Researchers visited

Odisha State Archives and collected various archival documents which were found useful for the judicial history project. The team also visited the office of one of the oldest Odia daily “The Samaja” and collected numerous old newspaper reports and photographs.

After collection of substantial amount of archival materials, the RRDC Committee, on 27th March, 2023, decided for publication of books on judicial history in two volumes. It was decided that the volume-I would cover the ancient and the medieval period and the volume-II would contain incidents from 1803 to 1948. Accordingly, contents for volume-I were finalized and the first book of the project ‘Judicial History of Odisha, Volume-I’ was released on 14th July, 2023 in the inaugural ceremony of the National Conference on Judicial History and Archiving.



Release of the Book, Judicial History of Odisha- Volume I on 14th July 2023



National Conference on Judicial History and Archiving

After completion of one year of the Centre for Judicial Archives, the High Court mooted the idea of sharing its experience with historians and researchers and gathering their inputs on judicial archiving. Accordingly, a three-day National Conference was held from 14th July to 16th July, 2023 in Odisha Judicial Academy with Judicial History of Odisha and the importance of archiving the judicial records as the focal point. Eminent historians and scholars across the country and students of various educational institutions participated in the conference.

The conference was inaugurated on 14th July, 2023 by Justice Shripathi Ravindra Bhat, Judge, Supreme Court of India in the presence of Professor Partha Chatterjee, Professor Emeritus of Anthropology and of Middle Eastern, South Asian and African Studies, Dr. Justice S. Muralidhar, Chief Justice, High Court of Orissa, the Judges of the High Court of Orissa.

The book titled “Judicial History of Odisha, Volume-I” published by the Centre for Judicial Archives was released on the occasion by Justice Bhat and Professor Chatterjee. The book is divided into three parts – Ancient Period, The Tribes of Odisha and Their Customary Laws and The Medieval Period. It traces the judicial history upto the beginning of the period when the East India Company began its operation in India, and in Odisha in particular. The second volume will be on the period following, upto independence.

The Conference became the platform of an interdisciplinary collaboration and deliberation where legal luminaries and historians exchanged their thoughts on judicial archiving

and its advantages.

In the inaugural function, Justice Shripathi Ravindra Bhat, Judge, Supreme Court of India termed the judicial history project undertaken by the High Court of Orissa as a pioneering step and said that it has set high standards for others to follow. Justice Bhat mentioned about the contribution of Odisha to the freedom struggle and said that the immense contribution of Odisha has remained unnoticed in other parts of the country. He expressed hope that the research undertaken by the Centre for Judicial Archives would unravel many other inspiring stories.

Dr. Justice S. Muralidhar said the judicial records tell us many stories on law and society, politics in law, economics in law and so on. He added, judicial repository is an invaluable resource for the historians and a seed in the form of the Centre for Judicial Archives has been planted which is to be nurtured by the researchers and students for the benefit of the society.

Justice Debabrata Dash highlighted the need of archiving of judicial records and said preservation of judicial history gives a sense of identity and continuity of past history and culture for future generations.

Professor Partha Chatterjee expressed his disagreement with the notion that all the laws having colonial roots should be discarded and said that a colonial law or system is retained or discarded after evaluating its effect on the political and social lives of the country. He termed the judicial archives as the invaluable source for evaluating the effects of the colonial laws and said that it helps in tracing the history

of religious orders and sects, social history of genders, information on the condition of the princely states etc. He said, judicial archives have been of great interest not only for the legal historians but also for the social historians.

Several interesting topics were discussed by the historians and archivists in different sessions of the conference on 15th July and 16th July, 2023. The topics covered various aspects of freedom movement and its description in different official records, literature and other unofficial and private papers. The technical aspects of curating, archiving and the contemporary methods of Digitization were also discussed in the conference. The names of resource persons and the topics discussed by them are indicated below:

- Dr Amar Farouqi, former Professor of History, University of Delhi: *Trial, Transportation and Sovereignty: Bahadur Shah and the Imperial Family in Captivity.*
- Dr Anirudh Deshpande, Professor of Modern History, Department of History, Faculty of Social Sciences, University of Delhi: *Justice and Punishment: The Royal Indian Navy Mutiny of February, 1946.*
- Dr Ashok Anshouman, Historian: *Calcutta High Court and its Divisions, Demands for a separate High Court for the new Province of Bihar & Orissa and the response of the High Court of Judicature at Fort William in Bengal, 1912-1916.*
- Dr Jatindra Nayak: *Law and lawyers in Fakir Mohan Senapati's fiction: A reading of six acres and a third.*
- Dr Umakanta Mishra, Assistant Professor, Department of History, Ravenshaw University : *Of law, morality and resistance: Lokhono Naiko's trial and execution.*
- Dr Sasmiti Rani Sasini, Assistant Professor, School of History, Gangadhar Meher University, Amrut Vihar, Sambalpur, Odisha: *Trial of Veer Surendra Sai : The political discourse of subordination through the Rule of law.*
- Dr Sanjay Garg, Deputy Director, National Archives of India: *Early colonial currency legislations and crime.*
- Dr Karuna Mahil, Assistant Professor at Azim Premji University: *The judiciary and labour: A historical reconstruction of the emergence of the legal and institutional framework with a focus on the Madras Presidency.*
- Dr Bhavani Raman, Associate Professor and Associate Chair at the Historical and Cultural Studies, Department at the University of Toronto: *In Search of Preventive Arrest's Early Colonial History.*
- Dr Prakash R, Assistant Director, Roja Muthiah Research Library: *Modern Archival Systems – Overview.*
- Dr Aparna Balachandran, Assistant Professor, Department of History, Faculty of Social Sciences, University of Delhi: *The challenges of digitization : Perspectives from a historian.*
- Bidisha Chakrobarty, Archivist, West Bengal State Archives: *Prospect and possibilities of Judicial Archives.*

Eminent historians Dr Prabhu Prasad Mohapatra, Dr Suranjan Das and Dr Nivedita Mohanty and the Director-cum-OSD of the Centre for Judicial Archives Dr Lalatendu Das Mohapatra also participated in the deliberations.



Deliberations during the conference

The Conference ended on 16th July, 2023 with a valedictory session. Speaking on the occasion, Professor Kishor Kumar Basa, Chairman, National Monuments Authority urged the historians and

students of judicial history to explore the possibility of inscriptions serving as sources of information about the judicial system of ancient period.



Delegates of the conference in the Museum of Justice and Centre for Judicial Archives

Progress of Judicial History of Odisha- Volume II

While the first volume covered the era of ancient, tribal, medieval and early British footprints, Judicial History of Odisha, Volume-II focuses on modern colonial Judicial History from 1758 till 1912, when the High Court of Patna was constituted and later, circuit bench

of the High Court of Patna was constituted at Cuttack in 1916. Work on volume-II is underway. Materials have been collected from Tamil Nadu State Archives and Library of Madras High Court, West Bengal State Archives and National Library.



B. MUSEUM OF JUSTICE

A museum not only educates the future generations but also brings communities together acquainting them with their shared past. Realizing the need to cherish the rich heritage of Odisha's legal system and presenting it before the coming generations, the High Court of Orissa had established a museum on 12th November 2017 in the heritage residential building of the Chief Justice in Barabati Quila, Cuttack - a building completed in the 1904 and built with colonial design. Photographs of legal luminaries, papers and collections of Shri Madhusudan Das and few artefacts, furniture and articles used in various Courts of Odisha were showcased in the Museum.

The Record Rooms of the High Court and District Courts containing old records dating back to 19th Century triggered the thought to

rejuvenate the High Court Museum as the Museum of Justice as stories of freedom fighters, famous personalities and events of Odisha lay hidden in these records. The High Court decided to showcase them in the Museum of Justice and to present before the public about the evolution of legal system of Odisha. The idea was to transform the existing museum from a repository of antiquities into a place of learning, research, co-mingling and teaching for historians, legal academics, researchers and students. Massive changes were proposed to its composition and hence, it was rechristened as a 'Museum of Justice' to make it more broad and theme-based.

Before embarking upon the project, the Chief Justice Dr. S. Muralidhar, Justice Sashikanta Mishra and Dr Lalatendu Das Mohapatra,

Director cum OSD of the Centre for Judicial Archives visited leading Museums and Libraries of the country to understand the collection, storage, conservation and exhibition protocols. Besides, antique objects and old records were collected from District Courts for showcasing in the museum. Refurbishment of Museum of Justice was entrusted to Indian National Trust for Art and Culture (INTACH) having expertise in conserving, repairing, redesigning the cultural heritages.

On 25th February, 2023 the refurbished Museum of Justice was inaugurated by Professor Ganeshi Lal, Governor of Odisha in the presence of Dr. Justice S. Muralidhar, Chief Justice, the sitting and former Judges of the High Court of Orissa, eminent historians and students of history. A booklet on the rejuvenation of the Museum was released in the inaugural function.

Contents

A consultative committee comprising historians, conservation experts, an Odia language expert and a legal expert was formed to advise on the contents of the Museum of Justice. On the advice of the Consultative Committee, one theme pavilion and seven galleries have been set up in the Museum of Justice apart from a library, a souvenir shop and an audio visual room.

While the library has law books and journals dating back to 18th and 19th centuries, the galleries have been set up with the following themes:

- Theme Pavilion is the introductory gallery containing digital timeline of the High Court of Orissa along with picture and graphic

model of the Court and its development since inception; (photo)

- Gallery-1 attempts to trace out the evolution of justice system in Odisha from ancient to modern with notes, excerpts from old texts, photos, inscriptions and archival records; (photo)
- Gallery-2 depicts the freedom movement from 1804 to 1947 with references to trials and conviction of various freedom fighters from Odisha; (photo)
- Gallery-3 portrays the mode of dispensation of justice among the tribes as well as importance of tribal customary laws; (photo)
- Gallery-4 contains the glimpses of important judgements and news of the period from 1808 to 2013; (photo)
- Gallery-5 showcases the old court apparels & accessories; (photo)
- Gallery-6 tells about the historical timeline of development of legal education in Odisha and information on prominent lawyers of Odisha alongwith classification of legal practitioners; and(photo)
- Gallery-7 has a mock court room modelled on the heritage court rooms of Baripada and Aska. (photo)

Besides expanding the concept and contents of the Museum, the peripheral area has been developed and landscaped by the Cuttack Municipal Corporation and the Roads & Buildings Division, Works Department, Government of Odisha with parking facility, lawns, gardens, adventure park for children and pond.



Prof. Ganeshi Lal, Hon'ble Governor of Odisha in the inauguration ceremony

After inauguration of the Museum of Justice on 25th February, 2023, it was opened for the public on 10th March, 2023. On the occasion, a function was held in its premises to acknowledge the contribution of the members of the consultative committee. The Committee members Dr. Justice A.K. Misra, A.B. Tripathy, retired IPS, B.B. Mishra, retired IPS, Dr. Nivedita Mohanty, Historian, A.B. Ota, Director, Tribal Museum, Sanjib Chandra Hota, retired IPS, Prof Nihar Ranjan Pattnaik, Bhabani Shankar Chayani, Collector, Cuttack and Mallika Mitra,

Director, INTACH were felicitated by the Chief Justice and the Judges of the High Court.

After its inauguration, the Museum of Justice has been visited by dignitaries like Smt. Draupadi Murmu, the Hon'ble President of India, Dr. Justice D.Y. Chandrachud, Chief Justice of India and Judges of the Supreme Court of India and various High Courts apart from foreign nationals, researchers, lawyers and journalists. Within a short span of time it has become a favourite destination for people from various walks of life, especially students.



Felicitation of the Consultative Committee Members



*Judges of other High Courts (left) and Secretary, Department of Law and Justice
Government of India (right) in Museum of Justice*



Students and Senior Citizens in Museum of Justice



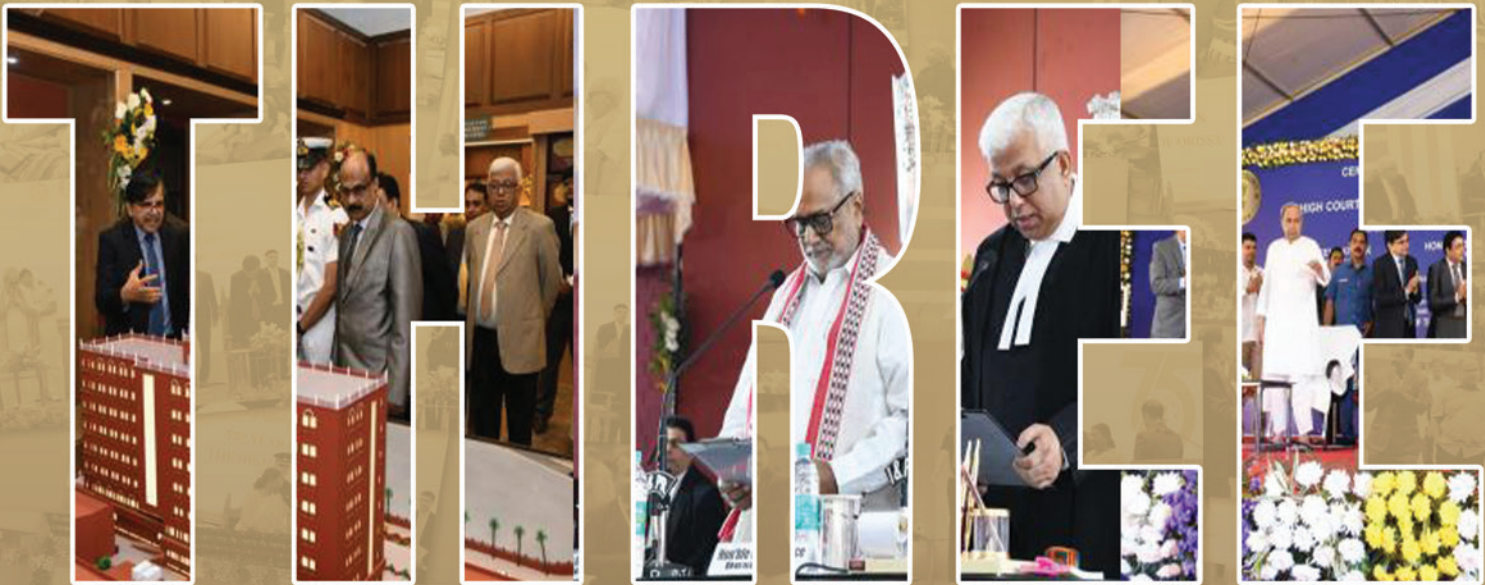
Plantation programme in Museum of Justice on the occasion of Vana Mahotsav



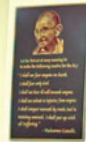


Entrance of New Building

CHAPTER



LAW OFFICERS



Office of the Advocate General, Odisha



Ashok Kumar Parija

Advocate General, Odisha

The office of the Advocate General was established on 1st April, 1936 along with creation of the separate province of Odisha. Justice Bira Kishore Ray, who later became the first Chief Justice of the High Court after its establishment, was the first Advocate General of the province. The province was then within the jurisdiction of High Court of Patna, with a circuit bench functioning at Cuttack. After establishment of the High Court of Orissa on 26th July, 1948 Swami Bichitrananda Das became the first Advocate General. The present Advocate General Ashok Kumar Parija assumed office on 26th June, 2019.

After establishment of High Court, the Office of the Advocate General started functioning within the High Court premises in the building provided for the purpose by the High Court of Odisha. In the meantime, the extension office of the Advocate General has been shifted to another building near the High Court. Besides, a separate building for the office of the Advocate

General is being constructed in front of the High Court. At present, only the first floor of the old building of the High Court has been occupied by the office.

Office of the Advocate General, Odisha is a permanent establishment, it has two wings viz. Judicial and Administrative-cum--Accounts. The Judicial Wing has been subdivided by five Sections namely Writ, Civil, Criminal, Contempt and State Case. Each Branch has been allotted with ministerial staff and Section Officer to supervise the branch. The administrative wing apart from general administration of the Office looks after maintenance of the office building, creation and appointment of staff and Law Officers and other ancillaries. The Accounts Section deals with all accounts matter, Budget estimate etc. The Confidential section which is under direct control of the Advocate General deals with all opinion files referred to by Government Departments for rendering opinion. Office of the Advocate General is well



equipped with IT infrastructure to maintain Database and information of all legal cases before the Hon'ble Supreme Court and Orissa High Court in the greater interest of the State.

The office of the Advocate General monitors the Litigation Management System (LMS) of the State Government devised for easy access of the pleadings and orders by the Government offices for preparation of counter affidavits and replies and for compliance of the direction of the High Court by judicial orders. The office was instrumental in facilitating digitization of the pending case records of the High Court which has been completed in the meantime. Filing of all types of cases by the office of Advocate General is done through the e-Filing Portal of the High Court.

Advocate General heads of the panel of lawyers representing the State Government in litigations before the High Court of Orissa. The Advocate General is assisted by the Government Advocate, Standing Counsel, Additional Government Advocates and Additional Standing Counsel otherwise known as Law Officers. The appointment, conditions of service, duties, rights and liabilities of Law Officers other than Advocate General for conducting cases in the High Court of Orissa and the procedure for the conduct of Government cases are governed by the Law Officers of the High Court (Recruitment, Remuneration and Duties) Rules, 1974. At present there are 77 Law Officers in the panel to assist the Advocate General.

Law Officers

Government Advocate

Jyoti Prakash Patnaik

Additional Government Advocates

- | | |
|-------------------------|--------------------------|
| • Dilip Kumar Mishra | • Prabhu Prasad Mohanty |
| • Soubhagya Ketan Nayak | • Shakti Prasad Panda |
| • Amiya Kumar Mishra | • Manoj Kumar Khuntia |
| • Janmejaya Katikia | • Smt. Suman Pattanayak |
| • Lalatendu Samantaray | • Dhananjay Mund |
| • Arupananda Das | • Satya Sundar Kanungo |
| • Smt. Saswata Patnaik | • Harmohan Dhal |
| • Bibhu Prasad Tripathy | • Rabi Narayan Mishra |
| • Pravat Kumar Muduli | • Sibani Shankar Pradhan |
| • Ajaya Kumar Nanda | • Abhaya Kumar Sharma |
| • Ajodhya Ranjan Dash | • Saroja Kanta Samal |
| • Debakanta Mohanty | • Pradip Kumar Rout |



- Sukumar Ghose
- Surya Narayan Pattanaik
- Debasish Nayak
- Saswat Das
- Ch. Satyajit Mishra
- Subhashish Pattanaik
- Malay Ketan Balbantray
- Nihar Kanta Praharaj
- Rajani Bhusan Mishra
- Bijaya Kumar Ragada
- Sangram Kesari Jena
- Biplaba Mohanty

Standing Counsel

Tapas Kumar Praharaj

Additional Standing Counsel

- Purna Chandra Das
- Samapika Mishra
- Swayambhu Mishra
- Priyabrata Tripathy
- Uttam Kumar Sahoo
- Siddhartha Sankar Mohapatra
- Gajendra Rout
- Surjya Ranjan Roul
- Sushama Rani Sahoo
- Manoj Kumar Mohanty
- Anand Prakash Das
- Karunakar Das
- Sangram Keshari Mishra
- Abhinandan Pradhan
- Sailaza Nandan Das
- Tarun Patnaik
- Debendra Kumar Mohanty
- Gyana Ranjan Mohapatra
- Sachidananda Nayak
- Karunakar Gaya
- Rajesh Tripathy
- Pranaya Kumar Maharaj
- Pushparaj Bharadwaj
- Samaresh Jena
- Ishwar Mohanty
- Somak Mishra
- Baibaswata Panigrahi
- Sitikanta Mishra
- Manoranjan Mishra
- Debasish Biswal
- Sanjay Rath
- Prasanna Kumar Mohanty
- Shashanka Shekhar Patra
- Arnav Behera
- Nikhil Pratap
- Hare Krushna Panigrahi
- Jyoti Prakash Patra
- Debasis Mohapatra
- Debendra Kumar Behera



Advocate General and Law Officers for the year 2023

Office of the Deputy Solicitor General of India



Prasanna Kumar Parhi

Deputy Solicitor General of India for the High Court of Orissa

The Central Government has its dedicated panels of lawyers to represent it in litigations before the High Courts. The heads of such panels have been designated as Deputy Solicitor General of India (previously Assistant Solicitor General of India). Prasanna Kumar Parhi assumed office as Assistant Solicitor General of India for the High Court of Orissa on

7th October, 2020 and has been re-designated as the Deputy Solicitor General of India for the High Court of Orissa.

At present, there are 8 Senior Panel Counsel and 29 Central Government Counsel in the panel of lawyers representing the Central Government before the High Court of Orissa.

Senior Panel Counsel

- | | |
|------------------------|-------------------------|
| • Partha Sarathi Nayak | • Kailash Chandra Kar |
| • Achyutananda Routray | • Gyanaloka Mohanty |
| • Sanjib Swain | • Chandrakanta Pradhan |
| • Bimbisar Dash | • Pradip Kumar Pattnaik |



Central Government Counsel

- | | |
|----------------------------|----------------------------|
| • Deba Ranjan Mohapatra | • Birendra Kumar Pardhi |
| • Subha Bikash Panda | • Manoj Kumar Pati |
| • Debasis Satapathy | • Bhabani Shankar Rayaguru |
| • Satya Sindhu Kashyap | • Dipti Ranjan Bhokta |
| • Kartik Chandra Jena | • Ms. Sulochana Patro |
| • Biswajit Maharana | • Dulal Satyanarayan Jethi |
| • Jateswar Nayak | • Ms. Bijayalaxmi Tripathy |
| • Mrs. Jyotshnamayee Sahoo | • Mahendra Kumar Pradhan |
| • Deepak Gochhayat | • Ms. Babita Sahu |
| • Debashis Tripathy | • Satyabrata Panda |
| • Prasanta Kumar Das | • Udit Ranjan Jena |
| • Dilip Kumar Sahu | • Amitabh Pradhan |
| • Prabhu Prasanna Behera | • Banidutta Rai Mohapatra |
| • Debabrata Rath | • Chandra Madhab Singh |
| • Alok Kumar Mohanty | |

Besides, there are 20 Senior Panel Counsel and 18 Additional Central Government Standing Counsel representing the Central Government before the Central Administrative Tribunal, Cuttack Bench, Cuttack.

Senior Panel Counsel

- | | |
|--------------------------|-------------------------|
| • Rabi Sankar Pattnaik | • Avin Chandra Deo |
| • Jayanta Kumar Bal | • Manash Ranjan Mohanty |
| • Saroj Kumar Jee | • Jitendra Kumar Nayak |
| • Dr. Chittaranjan Misra | • Ms. Sanjukta Bala Das |
| • Susanta Kumar Jethy | • Milan Kumar Badu |
| • Mrs. Kalpana Pattnaik | • Dipti Ranjan Swain |
| • Sarbeswar Behera | • Debendra Kumar Sahoo |
| • Satyabrata Mohanty | • Dayanidhi Lenka |
| • Bibhu Prasad Nayak | • Bibekananda Nayak |
| • Biswa Ranjan Swain | • Mrs. Siva Mohanty |



Additional Central Government Standing Counsel

- | | |
|--------------------------|--------------------------|
| • Mrs. Rajalaxmi Biswal | • S. Jyotiranjana |
| • Biswanath Swain | • Biswajit Samantaray |
| • Gopinath Sethi | • Deba Prasada Mohapatra |
| • Rama Chandra Jena | • Arun Kumar Sahu |
| • Amrit Mishra | • Janaki Ballav Swain |
| • Prabir Kumar Ray | • Mrs. Usha Rani Padhi |
| • Sushanta Kumar Pradhan | • Rajesh Kumar Mahapatra |
| • Subhransu Sekhar Patra | • Partha Sarathi Acharya |
| • Chiranjaya Mohanty | • Ramakanta Sahoo |



Deputy Solicitor General of India and Law Officers for the Central Government for the High Court of Orissa

High Court Bar Association



Dharanidhar Nayak

Senior Advocate, President of the High Court Bar Association assumed Office on 29th March, 2023

The High Court Bar Association, Orissa, Cuttack was registered on 5th September, 1961 under Societies Registration Act, 1860. Mr. L.K. Das Gupta was the first President and Mr Gangadhar

Rath was the first Secretary of the Association. Presently, the Bar Association is headed by Mr. Dharanidhar Nayak, Senior Advocate

Office Bearers of the High Court Bar Association

(Elected on 29th March, 2023 for a term of one year)

President

Dharanidhar Nayak

Vice-President

Bidyadhar Pradhan

Secretary

Chittaranjan Swain

Joint Secretary

Debashis Nanda

Assistant secretary

Debasis Swain

Asst. Secretary (Library)

Janaki Kanta Mahapatra

Executive body members

Biswajit Sahoo
Miss Ankita Tripathy
Spandan Mohanty
Satyabrata Dash
Manoj Kumar Agrawalla

Dillip Kumar Sahoo
Ashish Kumar Samal
Jagannath Kamila
Mrs. Ruchi Rajgarhia

Activities during the year

Observance of Lawyers' Day

175th Birth Anniversary of Utkal Gourav Madhusudan Das & Lawyers' Day was celebrated on 28th April, 2023 at the Convention Hall of the High Court. Dr. Justice Bidyut Ranjan

Sarangi, Justice Biswanath Rath, Ashok Kumar Parija, Advocate General and Soumya Ranjan Pattanaik, Editor of Sambada were the guests in the function.



Observance of Lawyers' Day

Help Desk at SCB Medical College & Hospital for victims and relatives of Bahanaga Rail Accident

After the rail accident of 2nd June, 2023 in Bahanaga of Balasore district, thousands of victims were shifted to SCB Medical College & Hospital for treatment. To assist the victims and

their relatives the High Court Bar Association organized a Help Desk in the hospital premises and tried to provide all possible support.



Bar Association members with Dr. Justice B.R. Sarangi, Executive Chairman, OSLSA and officials of Legal Services Authority

International Yoga Day

International Yoga day was observed on 21st June, 2023 in the High Court Bar Association

Premises. Lawyers in large numbers participated in the event.



Lawyers performing Yoga

Felicitation of the newly appointed Chief Justice and Judges

On 8th September, 2023 the High Court Bar Association welcomed Justice Subhasis Talapatra on his appointment as the Chief Justice and Justice Sibho Shankar Mishra and Justice

Ananda Chandra Behera on their elevation as Judges of the High Court of Orissa. In the same function the Bar Association felicitated Justice Biswanath Rath on his retirement.



The Chief Justice and the Judges in the function

Health Camp

On 29th September, 2023 the High Court Bar Association organized a Health Camp for the members of the Bar Association. The Health Camp was attended by Dr. Justice B.R. Sarangi,

Justice Aditya Kumar Mohapatra, Senior Doctors and Health Workers of SCB Medical College & Hospital. Lawyers participated in the camp in large numbers.



The doctors being felicitated in the Health Camp



Dr. Jayant Panda conducting health check up of lawyers



Support staff of the High Court Bar Association



President of the Bar Association felicitating the Hon'ble President of India in
Valedictory Ceremony of 75th Year Celebration of the High Court



President and other members of the High Court Bar Association of the year 2023

(Sitting from left to right): Janaki Kanta Mahapatra (Asst. Secretary (Library)), Debasis Nanda (Joint Secretary), Bidyadhar Pradhan (Vice-President), Dharanidhar Nayak (President), Chittaranjan Swain (Secretary), Debashis Swain (Assistant Secretary), Manoj Kumar Agrawalla (Executive Body Member)

(Standing from left to right): Ruchi Rajgarhia, Jagannath Kamila, Miss Ankita Tripathy, Satyabrata Das, Spandan Mohanty, Ashish Kumar Samal, Dillip Kumar Sahoo, Biswajit Sahoo (Executive Body Members)

CHAPTER



THE DISTRICT COURT



THE COURTROOM

THE COURTROOM is a reconstruction of the original courtroom of the Supreme Court of the Commonwealth of Massachusetts, which was built in 1780. The courtroom is a fine example of 18th-century architecture and is a must-see for anyone visiting the Museum of Justice.

THE COURTROOM

THE COURTROOM is a reconstruction of the original courtroom of the Supreme Court of the Commonwealth of Massachusetts, which was built in 1780. The courtroom is a fine example of 18th-century architecture and is a must-see for anyone visiting the Museum of Justice.

Model Courtroom at Museum of Justice

Case Statistics of the District Courts

The District Judiciary improved its performance as compared to the previous years. The institution and disposal statistics of the District

Courts for the last 5 years are indicated below for a comparative analysis.

Disposal statistics of District Judiciary for last 5 years

Year	Institution	Disposal	Comparative rate of increase in disposal with previous year (%)	Case Clearance Rate (%) (Disposal vis-à-vis institution)
2019	4,10,782	2,96,535	+16.40	72.19
2020	2,84,805	1,26,077	-57.48	44.27
2021	4,34,810	2,38,588	+89.24	54.87
2022	5,52,948	5,15,392	+116.01	93.21
2023	4,73,634	4,26,422	-17.26	90.03

Institution, Disposal and the Case Clearance Rate at a glance

While the opening balance at the beginning of 2023 was 18,26,100, the closing balance at the end of the year was 18, 73,312. Total institution during the year was 4,73,634 and the disposal was 4,26,422 cases at a Case Clearance Rate of 90.03%. The disposal of cases in District Courts decreased by 17.26% in 2023 as compared to the disposal in 2022. The institution and disposal figure of both 2022 and 2023 includes the cases received from and transferred to other Courts. The

institution of Criminal cases increased due to filing of 56,017 cases under the M.V. Act as a result of automatic challan based on CCTV image capture. Disposal in the months of February, 2023 increased due to disposal in Lok Adalat held on 11.02.2023 and withdrawal of cases. Disposal in the month of June, 2023 decreased due to less number of working days. Similarly, disposal in the month of October, 2023 decreased on account of Durga Puja Holidays.

Judicial Officers' working strength and loss of working hours

240 working days are allotted for judicial working of the District Courts and each working day consists of 6 working hours. Average working strength of the district court judges against the average sanctioned strength of 1004 in 2023 was 807. Average loss of working days in 2023 was 0.004 days due to cease

work. The cumulative loss of judicial working hours of all the district courts was 19.37 hours (6 hours x 0.004 days x 807 active strength of judicial officers =19.37 hours). Detailed case statistics of the District Courts along with relevant information for 2023 is available on the website and given at Appendix-K.

**No. of Judgments pronounced / delivered in the year - 2023**

Total	Civil			Criminal		
	Contested	Un-Contested	Total	Contested	Un-Contested	Total
	18,237	13,156	31,393	92,370	20,340	1,12,710

Number of judgments pronounced in the year 2023

During the year 2023 Judgments have been pronounced in 31,393 Civil cases, out of which 18,237 are contested cases and 13,156 are un-contested cases. Similarly, Judgments have been pronounced in 1,12,710 Criminal

cases, out of which 92,370 are contested cases and 20,340 are un-contested cases. In toto judgments delivered in the year 2023 both in Civil and Criminal cases were 1,44,103.

Disposal of over 40 Years old Cases (from 01.01.2023 to 31.12.2023)

TOTAL (All 30 Districts)	CIVIL						CRIMINAL					
	OPENING BALANCE as on 01.01.2023	Became 25 to 40 years from 01.01.2023 to 31.12.2023	Received from other Courts	Transferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023	OPENING BALANCE as on 01.01.2023	Became 25 to 40 years from 01.01.2023 to 31.12.2023	Received from other Courts	Transferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023
	29	24	8	3	35	23	3	2	0	0	2	3

Details of over 40 years old cases in the year 2023

In the beginning of the year 2023, 29 numbers of civil cases and 03 numbers of criminal cases over 40 years old were pending. During the year, 35 Civil cases of more than 40 years old and 2 criminal cases of more than 40 years

old have been disposed of. At the end of the year 2023, in toto 37 numbers of both Civil and Criminal Cases were disposed of and 26 cases were pending.

Disposal of 25 to 40 Years old Cases (from 01.01.2023 to 31.12.2023)

TOTAL (All 30 Districts)	CIVIL						CRIMINAL					
	OPENING BALANCE as on 01.01.2023	Became 25 to 40 years from 01.01.2023 to 31.12.2023	Received from other Courts	Transferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023	OPENING BALANCE as on 01.01.2023	Became 25 to 40 years from 01.01.2023 to 31.12.2023	Received from other Courts	Transferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023
	1210	311	288	258	739	812	3427	2092	181	178	4165	1357

Details of 25 to 40 years old cases in the year 2023

In the beginning of the year 2023, 1210 numbers of civil and 3427 numbers of criminal cases of 25 to 40 years old cases were pending. During the year 739 Civil cases of 25 to 40 years old and 4165 Criminal cases of 25 to

40 years old were disposed of. In toto 4904 numbers of Civil and Criminal Cases of 25 to 40 years old were disposed of and 2169 cases were pending.



Saura painting displayed at V.C. Hall, New Building of the High Court



District Judges' Conference, 2023

Like the previous year, the District Judges' Conference was held by the High Court of Orissa in 2023. The two-and-a-half days conference was held at the Odisha Judicial Academy, Cuttack. It was inaugurated on 11th February, 2023 by Shri Justice Sanjiv Khanna, Judge, Supreme Court of India in the presence of Dr. Justice S. Muralidhar, the then Chief Justice of the High Court of Orissa, the sitting and former Judges of the High Court. It ended on 12th February, 2023. The Annual Report, 2022 published by the High Court of Orissa, was released in the inaugural function of the Conference.

Interactions were held with the Special Judges (Vigilance), Special Judge, Special Courts, Special Judge (CBI) Court No.1 and Director-cum-A.D.G. of Police (Vigilance) and Legal Advisor (State Vigilance Organization), Judges of Family Courts on 30th January, 2023 and

with the Presiding Officers of various Tribunals, Commissioner of Endowments, Odisha on 31st January, 2023 in virtual mode. Issues relating to their functioning such as "Pendency and disposal of cases", "Exploring the feasibility of taking up trials on virtual mode", "Putting vigilance cases in fast track", "Functioning of the Principal Counsellors and Counsellors", "Progress made on the instructions imparted in the District Judges' Conference, 2022" etc. were discussed. After detailed deliberations, suitable instructions were imparted to all concerned including the Director-cum-A.D.G. of Police, State Vigilance Organization, Odisha, Cuttack. The Presiding Officers were advised *inter alia* to take up old cases on board on priority basis. The Presiding Officers of all the Tribunals have been instructed to submit the lists of LCRs pending in the High Court, if any, for return of the LCRs after digitization.

The Conference

The 30 District Judges and 30 Chief Judicial Magistrates participated in the Conference from 10th to 12th February, 2023. Various issues relating to judicial administration were

discussed. The broad heads of issues discussed in the conference and the resolutions adopted & concurred by the High Court of Orissa in the administrative side are indicated below.

I. Issues pertaining to E-Initiatives

- a. Creation of online portal to receive and submit reports, statements and other important communications
- b. Provision of e-Dispatch system for Courts.

- c. Enhancement of technical manpower
- d. Introduction and modification of Rules regarding implementation of ICT and e-Court initiative
- e. Paperless Courts
- f. Judicial Officers to be self-sufficient in use of ICT

Suitable instructions were imparted to the District Judges pursuant to the resolutions passed.

II. Code of Judicial Ethics

- a. Best practices and worst practices, Gender Sensitization (How to treat staff), Response of Judicial Officers.

Suitable instructions were imparted to the District Judges pursuant to the resolutions passed.

III. G.R. & C.O. (Criminal & Civil) and Practice Directions

- a. Proposed amendments/ deletions of Rules under GR & CO (Criminal) and (Civil)
 - Cognizance Taking Courts in outlying station to initiate case for realization of fine in Sessions cases under Section 421 of Cr.P.C. (Rule 136 (a) G.R. & C.O. (CrI.) (Vol.I).
 - Maintenance of dormant file Register- (R) 26 in the Court of Addl. Dist. & Sessions Judges at outlying Stations and in the Cognizance Taking Courts at the Headquarters Station as well as outlying stations.
 - Committee for inventory of

Storehouse to segregate the unidentified items in consonance with Rule 177(A) of G.R. & C.O. (CrI.) Vol.I in the outlying stations.

- Rule 145 of G.R. & C.O. (CrI.) Vol. I may also be applicable to bailor Misc. Cases.
- Enhancement of T.A. for the prisoners as per Rule 316 of G.R. & C.O. (CrI.) Vol. I.
- Deletion of Rules 71-75 of the G.R. & C.O. (Civil) Vol.I

Pursuant to the resolutions passed in the Conference, necessary amendments have been made in the GR & CO (Criminal) and GR & CO (Civil).

b. Miscellaneous Instructions.

- Transfer of bail application filed under Section 439 of Cr.P.C. to other Sessions Courts by the Sessions Court (I/c): Suitable instructions were imparted to the District Judges pursuant to the resolutions passed.
- Monthly visit of the jails situated at the outlying stations: Suitable instructions were imparted to the District Judges pursuant to the resolutions passed.
- Preparation of up-to-date compendium of General Orders and Circulars issued by the High Court: Pursuant to the resolutions passed, a new compendium comprising General Letters and Circulars issued by the High Court of Orissa from 1988 to 2023 in criminal side has been prepared and uploaded in the

website of the Court for the guidance of the Judicial Officers of the State and other stake-holders.

- Dress Code for the employees: In view of the resolution passed in District Judges' Conference, 2023 and agreeing with the proposal made by the Court regarding provision of uniform allowance for all the Group-A, B & C employees working in the District and Civil Courts of the State as per recommendation of Justice Shetty Commission, the State Government vide their Law Department Resolution No. 11006/L dated 09.06.2023 have granted uniform allowance of ₹ 4000/- (Rupees Four Thousand) only once in two years along with quarterly washing allowance of ₹ 200/- (Rupees Two Hundred) only to all the regular Group-A, B & C employees working in the District and Civil Courts of the State for implementation of dress code for them w.e.f. 01.04.2023.
- Merger of R-5 Series, deletion of R-30-B (Civil), deletion of R-14 (Civil) and Renaming of existing R-14-A & R-14-B (Civil): Pursuant to the resolutions passed, necessary amendments have been carried out in the GR & CO (Civil).
- The Sheristadars posted in the Court of Senior Civil Judges and Civil Judges may be designated as "Administrative Officers": Pursuant to the resolutions passed, necessary amendments have been carried out

in the GR & CO (Civil) and GR & CO (Criminal).

IV. Proposed Amendments

- a. Proposal for amendment of the Odisha District and Subordinate Courts' Non-Judicial Staff Services (Method of Recruitment and Conditions of Service) Rules, 2008.
 - Enhancement of entry level educational qualification of Junior Clerks in the District & Subordinate Courts of the State.
 - Discontinuance of payment of application and examination fee for recruitment to different posts and services in the District & Subordinate Courts of the State.
 - Provision for conducting Typewriting Test (in case of Stenographers & Typist) through Computer System instead of Typewriting Machine.
 - Deleting/Omitting the existing provisions relating to Group-D cadre posts in the Odisha District & Subordinate Courts' Non-Judicial Staff Services (Method of Recruitment & Conditions of Service) Rules, 2008 & amendments made thereto, after coming into force of the Odisha District & Subordinate Courts' Group-D Employees (Method of Recruitment & Conditions of Service) Rules, 2021.

In view of the resolution passed in the Conference, the Odisha District and Subordinate

Courts' Non-Judicial Staff Services (Method of Recruitment & Conditions of Service) Rules, 2008 have been suitably amended vide the Odisha Gazette Notification No. 1434 dated 28.06.2023 with respect to the aforementioned topics.

V. Management

- a. Personnel Management, Resource Management & Stress Management,
- b. Bar Management & Local Management
- c. Talk on best management practice
- d. Suitable instructions were imparted to the District Judges pursuant to the resolutions passed.

VI. Judicial Officers on Social Media- Repercussions (Talk, Discussion)

- a. Behavior on Social Media and contents shared.
- b. Should there be any instructions apply to the judicial officers using Social Media?
- c. Whether there is any judicial integrity issue when judges use Social Media?
- d. Risks for judicial officers using Social Media.

Suitable instructions were imparted to the Judicial Officers of the State pursuant to the resolutions passed.

VII. Budget, Planning and Expenditure

- a. Preparation of the Budget- Practice and procedure
- b. Bottlenecks in utilization of funds

- c. Issues and challenges on preparation of budget and utilization of funds.
- d. Issues on Purchase of vehicles for Judicial Officer of the District Courts as per the entitlement.

Suitable instructions were imparted to the District Judges pursuant to the resolutions passed and the State Government was moved for purchase of vehicles for the Judicial Officers of the State.

VIII. Infrastructure, Establishment of the Courts - Requirement and Challenges

- a. Challenges faced for proper infrastructure with adequate budgetary provisions w.r.t. Judiciary vis-à-vis establishment of new Courts:

Pursuant to the resolution adopted in the Conference, Additional Chief Secretary, Revenue & Disaster Management, Government of Odisha has nominated the Additional District Magistrate (Revenue) of all the Districts as the Nodal Officers of the Districts w.e.f. 13th February, 2023 for coordination with District Judges concerned and for sanction & to expedite the process of alienation and delivery of advance possession of the selected and requisitioned land in favour of Judiciary within the stipulated period in favour of the Law Department for improvement of Judicial Infrastructure.

- b. Challenges faced in repair, renovation and improvement work of the Buildings for the Court spared by other

Departments of the Government.- It is resolved *inter alia* that the State Government as a matter of principle shall provide ready-to-use infrastructure, including land, Court Buildings and officer and staff quarters, within three months of the Court's establishment notification. If the State Government fails to provide such permanent ready-to-use infrastructure for any reason, the High Court shall bear all costs of repair/renovation/improvement/maintenance of any residential and non-residential building spared by the Government/PSU for the opening of a new court from funds made available in the budget solely for the District Judiciary. The future repair/ renovation/ improvement/ maintenance work of such Building shall also be the responsibility of the Judiciary being the user department till the same is in occupation of the District Judiciary.

- c. Fencing of alienated sites by barbed wire to prevent encroachment- Re-consideration of earlier decision: It is resolved *inter alia* that after completing the alienation process or assuming advance possession of the sites, District Judges should ensure fencing them with a boundary wall, to prevent encroachment..
- d. Issues relating to safe-keeping of the land records of the District Judiciary

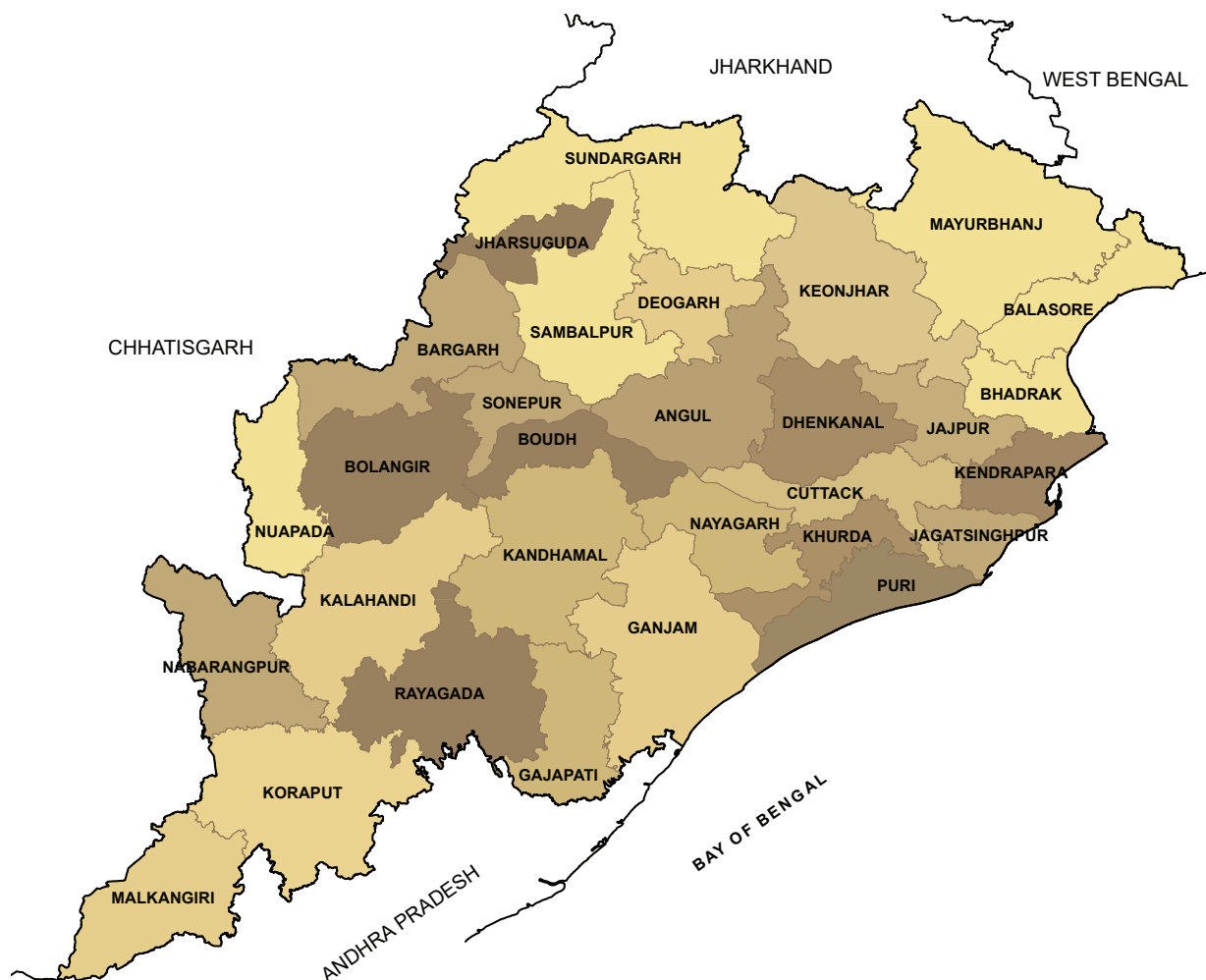
in their respective Judgeship.- It is resolved that henceforth the original R.O.Rs and other Revenue documents would be preserved in safe custody of the relevant District Court's Chief Administrative Officer etc.

- e. Monitoring of the projects taken up under the Centrally Sponsored Scheme (CSS) at all levels.- It is resolved *inter alia* that the District Judges and executing agencies must work together to finish the District Court Complexes and Taluk Court Complex projects under CSS in a timely manner, within 12-18 months and 6-9 months respectively from the date of agreement.
- f. Fixation of yardstick for creation of the additional post of Salaried Amin in the District Judiciary of the State:

In view of the resolution passed in the Conference, the yardstick for creation of additional posts of Salaried Amin has been fixed and the recommendation was made to the State Government for creation of additional posts of Salaried Amins in different Judgeships of the State. Subsequently, the State Government vide their Law Department Letter No. 12372/L dated 14.07.2023 have created additional 65 (sixty five) posts of Salaried Amins in different Judgeships of the State.

Further, Rule 186-A of the G.R. & C.O. (Civil) Volume-I 1985 Edition has been suitably amended as per such resolution.

Map of Judgeships of Odisha



At the time of its formation as a separate province in April 1936, Odisha consisted of 6 districts i.e., Cuttack, Balasore, Puri, Sambalpur, Koraput and Ganjam. Originally, the State had 13 Revenue Districts which were coextensive with the judicial districts (Judgeships). After reorganization of the districts in the year 1992-93, 17 more districts were created, taking total number of revenue districts to 30. The judicial districts continued to be 13 till creation of new judicial districts on different dates. As on date, there are 30 judicial districts (Judgeships) coextensive with the corresponding revenue districts.



District Judiciary Map

Angul



Existing Court Complex



Proposed Court Complex



District Court Building, Angul

Angul Judgeship with its headquarters at Angul was separated from its parent judgeship of Dhenkanal on 31st July, 2012. 30 different courts are functioning in this judgeship with five outlying stations situated at Talcher, Athmallik, Pallahara, Chhendipada, and Banarpal. The Old District Court complex started functioning in 1996.

The New Court complex was inaugurated on 21st April, 2018. It includes one Virtual Centre Room, e-Sewa Kendra, V.C. cabin, e-prosecution, and record room.

The Virtual Centre of the High Court of Orissa at Angul was inaugurated and made functional w.e.f. 27.03.2023 in the District Court Complex, Angul.

The Regional Judicial Academy, Angul was inaugurated and made functional w.e.f. 13.05.2023. Regular training is being imparted to the Judicial Officers and ministerial staff posted in the cluster districts of Angul, Dhenkanal, Keonjhar, and Deogarh.

The District Court Digitization Hub (DCDH) was inaugurated on 12th December, 2022, and it serves as a hub for Dhenkanal. In the year 2023, a total of 1,70,100 numbers of case records (99,68,412 pages) were scanned.

The court of Civil Judge (Sr. Divn.)-cum-A.S.J. (Women's) Court, Angul was inaugurated and made functional w.e.f. 20.05.2023.

The Court of Chief Judicial Magistrate, Angul, Civil



From left to right of the top row- awareness programme, Observance of Disability day

From left to right of the bottom row- district level legal Literacy festival and Observance of Van Mahotsava Week

Judge (Sr. Divn.)-cum-A.S.J. (Women's) Court, Angul, the Court of Addl. District & Sessions Judge-cum-Special Judge (Vigilance), Angul, and the Court of Addl. District & Sessions Judge-cum-Special Court under POCSO act, Angul were declared as Paperless Court in 2023.

The Warrant Management System (WMS) was

inaugurated on 07.08.2023.

NSTEP was made functional and inaugurated on 03.09.2023. New District Court website under SWAAS domain was inaugurated on 03.09.2023.

Shri Pranab Kumar Patra was the District and Sessions Judge till 27th December, 2023.

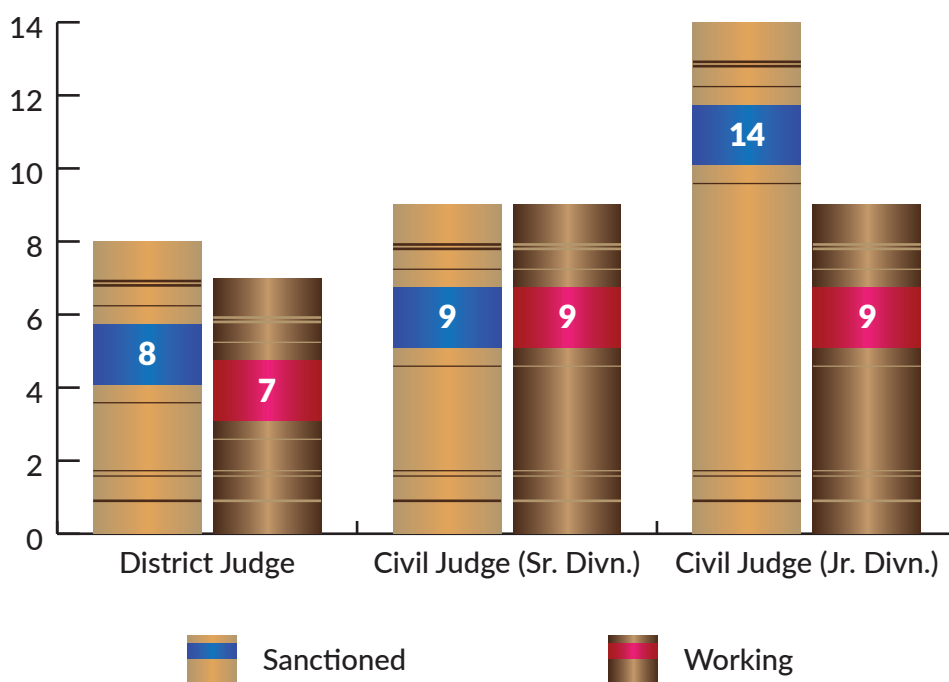
Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	4 (includes one Court of ADJ (LR& LTV) and ADJ -cum- Special Judge (Vigilance))
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Special Judge, Vigilance	1



Name of the Court	No. of Courts
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	5 (includes 1 Court of Civil Judge (Sr. Divn.) - cum- Asst. Sessions Judge (Women's Court) and 1 Court of Civil Judge (Sr. Divn.) (LR & LTV))
Addl. Civil Judge (Sr. Divn.)	1
Sub-Divisional Judicial Magistrate	4
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3(includes one cognizance taking Court of Civil Judge (Jr.Divn.)-cum-J.M.F.C)
Addl. C.J. (Jr. Divn.)-cum-J.M.F.C.	2
J.M.F.C	4(includes 2 Courts of JMFC (LR & LTV))

Number of judges in each court



Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	9,631	76,642	86,273	2,493	22,705	25,198	2,685	17,928	20,613	9,439	81,419	90,858
2023	9,439	81,419	90,858	1,877	18,320	20,197	2,534	14,732	17,266	8,782	85,007	93,789



District Judiciary Map Balasore



Existing Court Complex



Proposed Court Complex



District Court Building, Balasore

Till 1948, this district was under the combined judgeship of Cuttack-Balasore-Sambalpur. After the merger of princely states in 1948, it came under Keonjhar judgeship. When the ex-State of Mayurbhanj merged with the state of Orissa in 1949, it remained under the Mayurbhanj judgeship with its headquarters at Baripada till 1949. The District Judge stationed at Baripada was holding a Circuit Court at Balasore from 1915 till 1957-58. A post of Additional District and Sessions Judge, Mayurbhanj was created in 1957-1958 with headquarters at Balasore. Balasore became an independent judgeship on 15th January, 1959. 44 different courts are functioning in this judgeship with outlying stations at Jaleswar, Nilgiri, Basta, Bhograi and Soro.

The Virtual Centre of the High Court of Orissa at Balasore was inaugurated on 03rd February, 2023. The Regional Judicial Academy, Balasore was inaugurated and made functional w.e.f. 13.05.2023. Regular training is being imparted to the Judicial Officers and ministerial staff posted in the cluster districts of Balasore, Jajpur, Mayurbhanj, and Bhadrak.

In total, 22 different courts in the Judgeship were inaugurated and functioning as paperless Courts.

In the year 2023, a total of 2,43,437 numbers of case records (2,30,52,589 pages) were scanned at D.C.D.H, Balasore.

Shri Asanta Kumar Das was the District and Sessions Judge for the entire year.



From left to right of the top row- Blood donation camp and drawing competition
Bottom row- District level legal literacy festival

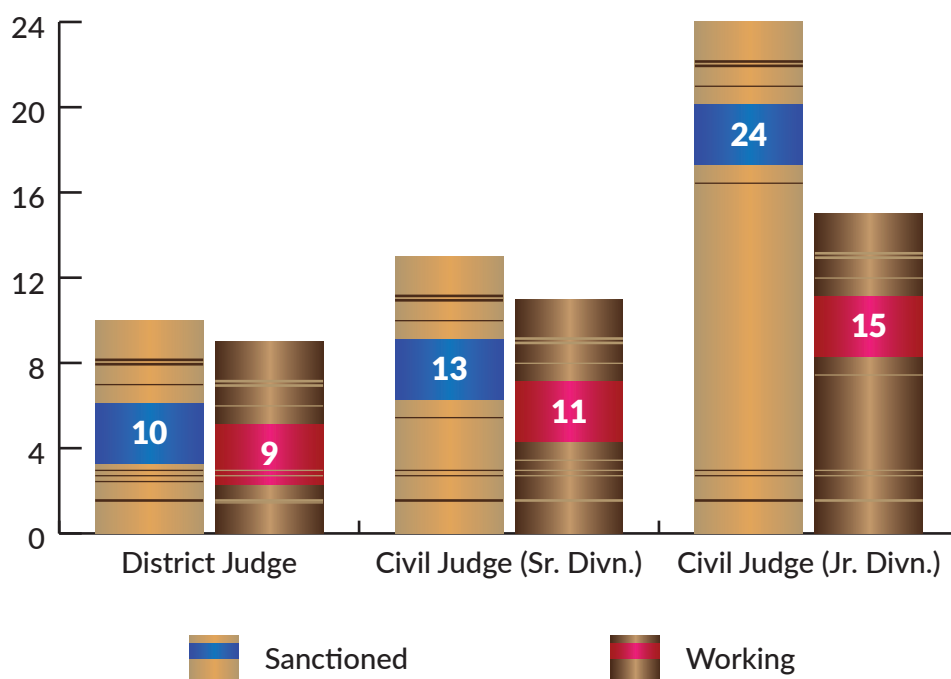
Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	4 (includes 1 Court of ADJ (LR))
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
ADJ -cum- Special Judge (Vigilance)	1
Designated court under OPID Act	1
Special Court under SC & ST Act (PoA) Act	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	5 (Includes one court of Civil Judge (Sr. Divn.) (LR & LTV))
Addl. Civil Judge (Sr. Divn.)	3
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Divn.)	1



Name of the Court	No. of Courts
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
Addl. Civil Judge (Jr. Divn.) - cum-JMFC	4
JMFC	11 (includes 2 Courts of JMFC (LR), 1 Court of JMFC (Rural) and 1 Court of JMFC (City))
Special Judicial Magistrate	1
Gram Nyayalaya	1

Number of judges in each court

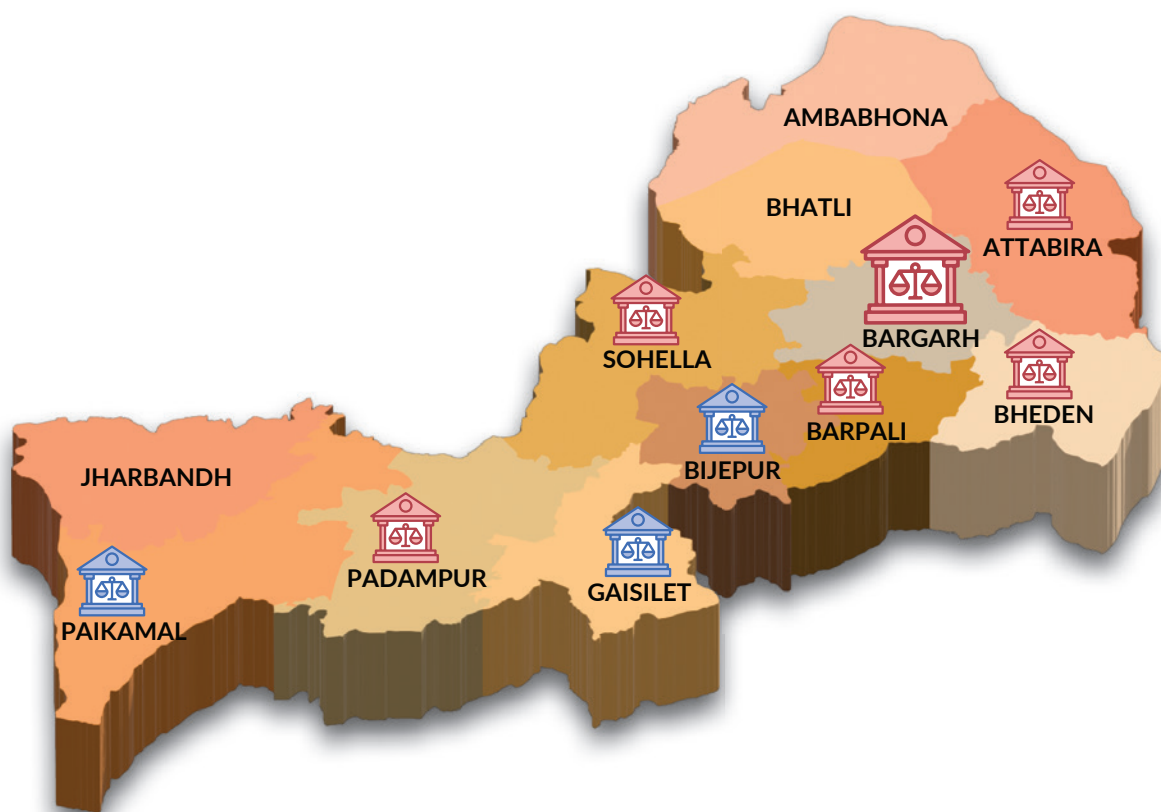


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	38,882	89,526	12,8408	10,279	14,873	25,152	9,537	18,947	28,484	39,454	85,418	1,24,872
2023	39,454	85,418	1,24,872	11,190	18,810	30,000	11,950	15,505	27,455	38,694	88,723	1,27,417



District Judiciary Map Bargarh



Existing Court Complex



Proposed Court Complex



District Court Building, Bargarh

With the formation of a separate province of Odisha in 1936, Bargarh district was carved out incorporating the areas of two sub-divisions, Bargarh and Padmapur from the erstwhile district of Sambalpur in March 1993. The Judgeship of Bargarh was separated from its parent judgeship Sambalpur with effect from 12th July, 2011, and the Court of District and Sessions Judge started functioning at Bargarh. A total of 24 different courts are functioning in the judgeship with outlying stations at Padampur, Sohela, Barpali, Attabira, and Bheden.

Bargarh comes under the DCDH at Sambalpur which was inaugurated on 12th December, 2022. In the year 2023, a total of 13,134 numbers of case records (12,24,799 pages) were scanned.

In total, 4 different courts were inaugurated as paperless Courts in 2023.

The Virtual Centre of the High Court of Orissa at Bargarh was inaugurated on 19th October, 2023.

Smt. Luna Mohanty was the District Judge for the entire year.



From left to right of the top row- Health camp and Programme on Yoga and Meditation.

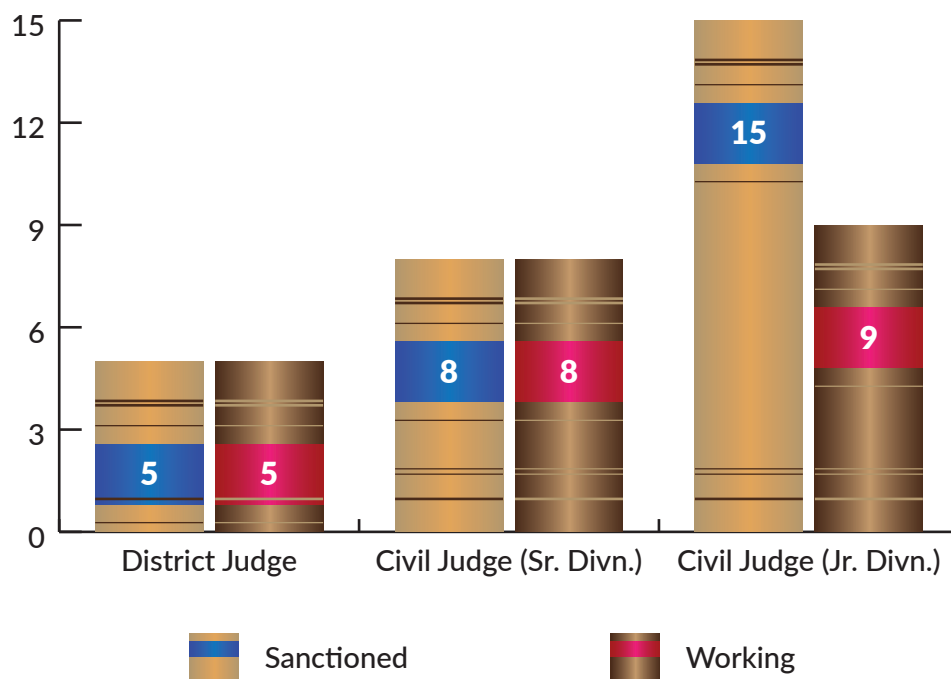
Bottom row- Cyber crime prevention programme

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	2
Special Court under POCSO Act	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	5 (includes 1 Women's Court, 1 Civil Judge (Sr. Divn.) (LR & LTV) and 1 Civil Judge (Sr. Divn.)-cum-A.S.J.)
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Divn.)	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
JMFC	5 (includes 1 Court of JMFC (LR & LTV))
Gram Nyayalaya	1



Number of judges in each court

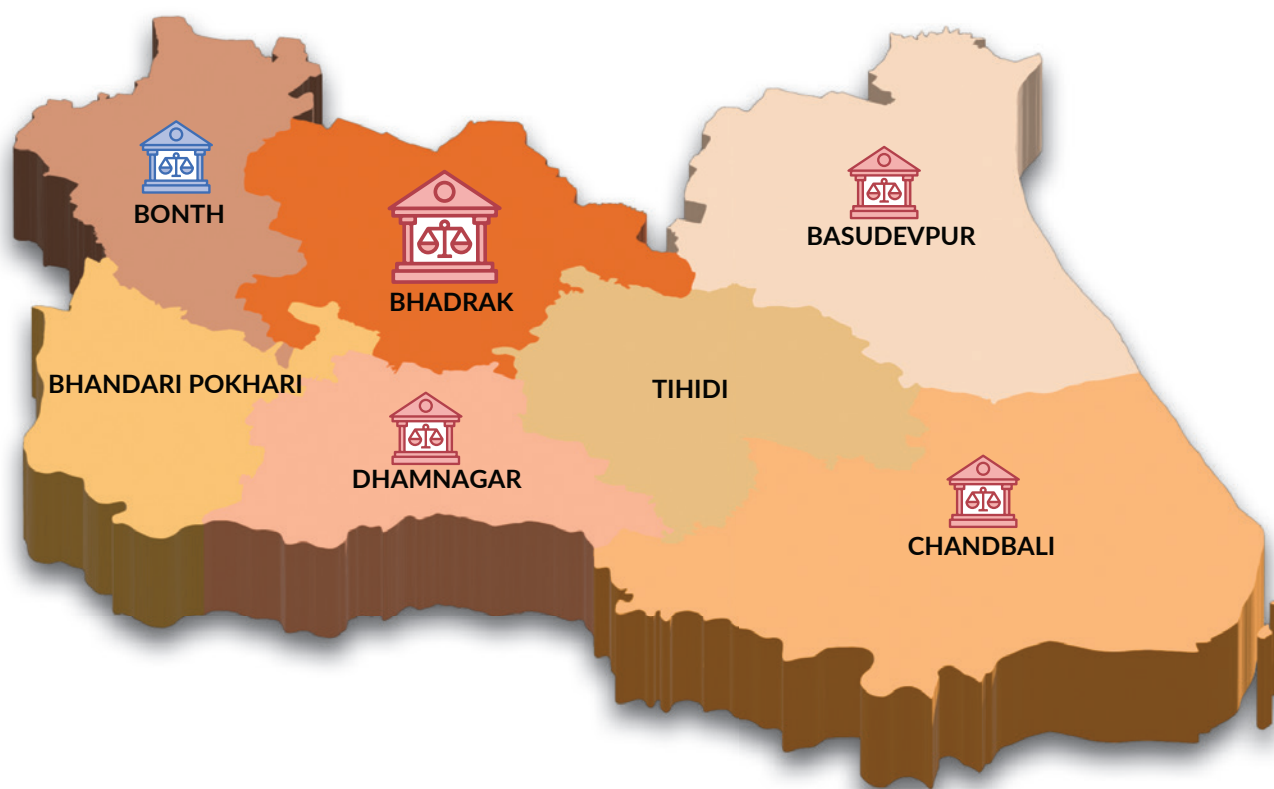


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	6,287	44,088	50,375	1,552	8,815	10,367	1,621	7,060	8,681	6,218	45,843	52,061
2023	6,218	45,843	52,061	1,535	7,815	9,350	1,800	5,991	7,791	5,953	47,667	53,620



District Judiciary Map Bhadrak



Existing Court Complex



Proposed Court Complex



District Court Building, Bhadrak

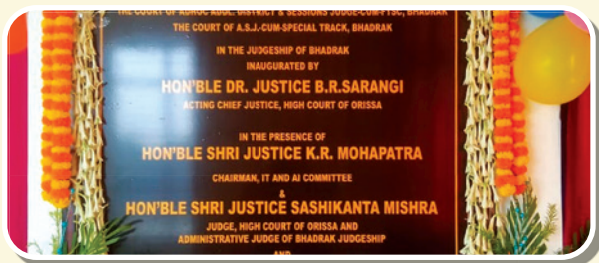
In 1901, a Munsif court was established in the region. Until 1900, the litigants had to go to Jajpur for filing Civil Cases. The Court of Civil Judge (Sr. Divn.), Bhadrak and Additional District Judge, Bhadrak were established in the year 1966 and 1987 respectively.

After the reconstitution of the districts in the State, the new revenue district of Bhadrak was constituted in 1993. Subsequently, the court of District and Sessions Judge, Bhadrak was established on 21st May, 2011 after being separated from Balasore. 24 different courts are functioning in this judgeship with outlying stations at Basudevpur, Chandbali, and Dhamnagar. The District Court Digitization Hub

(DCDH) was inaugurated on 12th December, 2022, and it serves as a hub for Jajpur and Kendrapara. In the year 2023, a total of 1,38,601 numbers of case records (87,82,033 pages) were scanned.

The Virtual Centre of the High Court of Orissa at Bhadrak was inaugurated on 03rd February, 2023. The court of the District and Sessions Judge was already functioning as a paperless court, and other 5 different courts were inaugurated as paperless Courts in 2023.

Shri Pradyumna Kumar Nayak was the District and Sessions Judge till 20th September 2023, and Sri Sangram Keshari Pattanaik continued thereafter till the end of the year 2023.



From left to right of the top row-Drawing competition and inauguration of paperless court

Middle row-inauguration of paperless courts

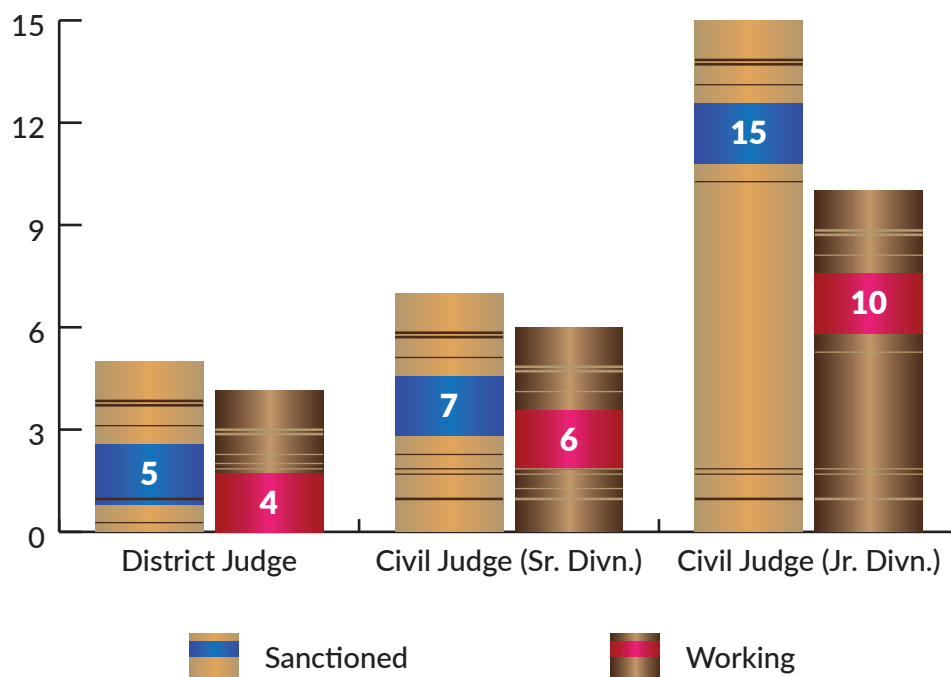
Bottom row- Prize distribution of drawing competition.

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	1
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	2
Addl. Civil Judge (Sr. Divn.)	1
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
Addl. Civil Judge (Jr. Divn.)-cum-JMFC	1
JMFC	7 (includes 2 Courts of JMFC (LR & LTV), and 2 cognizance taking JMFC Courts)
Special Judicial Magistrate	1



Number of judges in each court

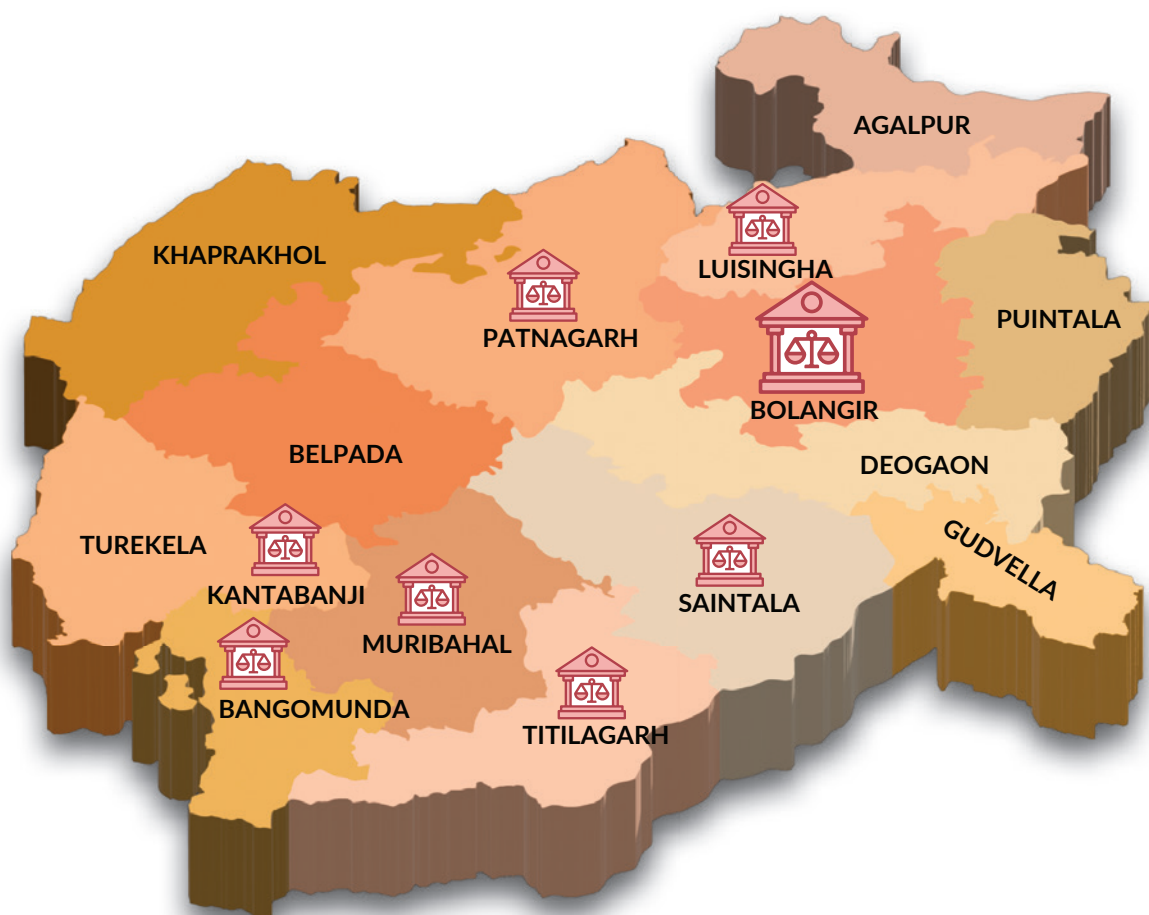


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	30,523	64,279	94,802	4,402	13,248	17,650	5,125	10,355	15,480	29,757	66,527	96,284
2023	29,757	66,527	96,284	4,502	13,959	18,461	5,561	12,300	17,861	28,698	68,186	96,884



District Judiciary Map Bolangir



Existing Court Complex



Proposed Court Complex



District Court Building, Bolangir

The combined judgship of Bolangir-Kalahandi started functioning with effect from 17th June, 1948 with its headquarters at Bolangir. The Judgship of Kalahandi was separated from Bolangir on 28th February, 1982. After demarcation of Sonepur (Subarnapur) as a separate district, the Bolangir and Sonepur Judgship continued to function in a combined manner till 22nd June, 2012, when the judgship Sonepur was separated. 35 different courts are functioning in this judgship with outlying stations at Kantabanji, Titilagarh, Luisingha, Saintala, Muribahal, Patnagarh, and Bangomunda. The district court along with 18 others subordinate courts are functioning in an area of 51, 591 sq. ft (approx.) Bolangir comes under the DCDH at Sonepur which was inaugurated on 12th December, 2022.

The Courts of the District & Sessions Judge, Bolangir, Additional District & Sessions Judge-cum-Special Judge (Vigilance), Additional District Judge-cum-Special Court under POCSSO Act, Bolangir, Civil Judge (Sr. Divn.), Bolangir, Civil Judge (Sr. Divn.) (LR & LTV), Bolangir, and Civil Judge (Jr. Divn.) Bolangir were declared as Paperless Courts in the year 2023.

The Virtual Centre of the High Court of Orissa at Bolangir was inaugurated on 03rd February, 2023.

Recording of evidence in 396 numbers of cases with 544 numbers of Witnesses was made at VWDC, Bolangir.

Shri Lalatendu Jena was the District and Sessions Judge till 27.12.2023.



From left to right of the top row- Drawing Competition and Health Camp,
From left to right of the middle row- Swachhata Abhiyan and Observance of Yoga Day
From left to right of the bottom row- inauguration of paperless Court and Foundation Stone ceremony for civil court complex

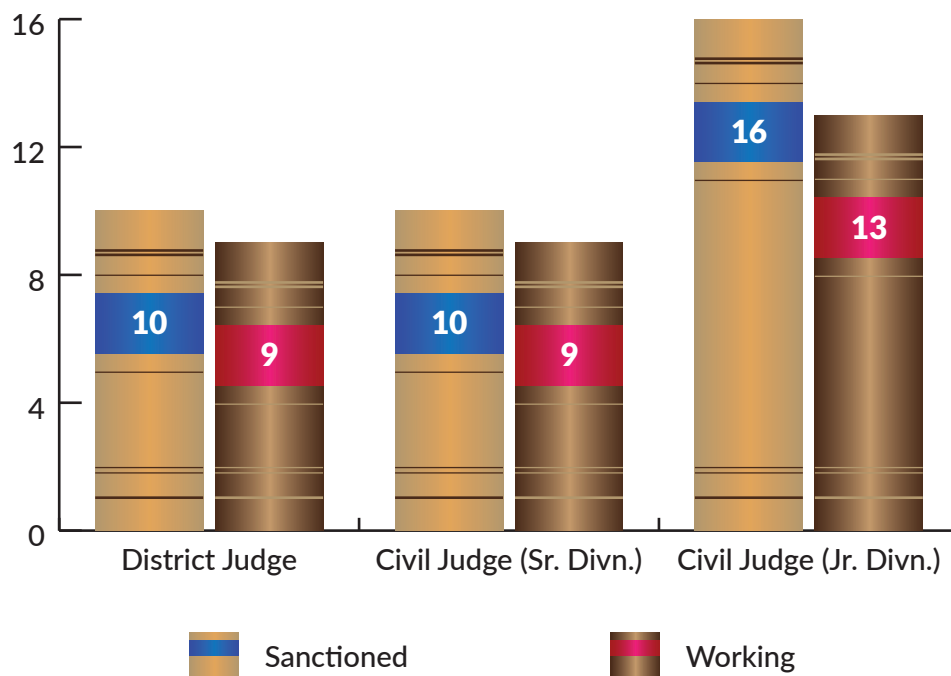
Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	5
Addl. District Judge -cum- Special Judge (Vig.)	1
Special Court under POCSO Act	1
Special Court under SC & ST (PoA) Act	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	5 (includes 1 Court of Civil Judge (Sr. Divn.) (LR & LTV))
Addl. Civil Judge (Sr. Divn.)	1
Sub-Divisional Judicial Magistrate	3
Civil Judge (Jr. Divn.) - cum - J.M.F.C.	5



Name of the Court	No. of Courts
Special Railway Magistrate	1
J.M.F.C.	7 (includes 1 Court of J.M.F.C. (LR))
Special Judicial Magistrate	1

Number of judges in each court

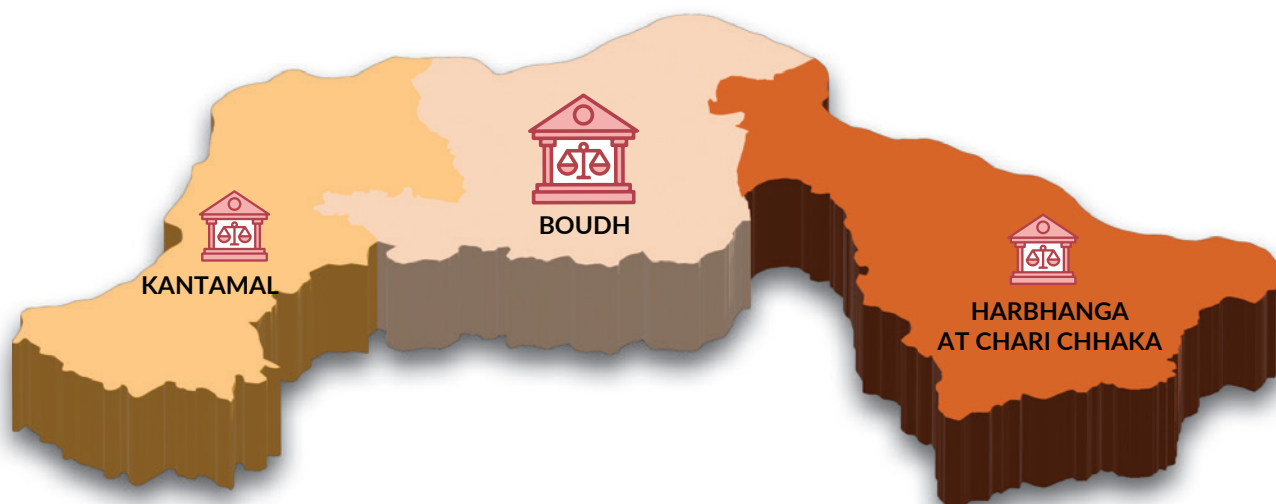


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	6,840	39,830	46,670	1,811	16,255	18,066	1,900	14,018	15,918	6,751	42,067	48,818
2023	6,751	42,067	48,818	1,767	18,733	20,500	1,770	15,516	17,286	6,748	45,284	52,032



District Judiciary Map Boudh



Existing Court Complex



Proposed Court Complex



District Court Building, Boudh

Boudh was a sub-division of the erstwhile Boudh-Kandhamal District. On 2nd January, 1994, it became the district headquarters of a separate district called Boudh that was carved out of the Boudh-Kandhamal district. Earlier, the consolidated Judgeship of Kandhamal-Boudh and Phulbani was part of the undivided Judgeship of Ganjam. The judgeship of Kandhamal-Boudh and Phulbani was separated from the undivided Judgeship of Ganjam-Berhampur on 11th August, 1984. The Boudh judgeship was finally separated from Kandhamal-Boudh and began operating with effect from 6th October, 2012.

The construction of the new court building began on 24th October, 2014, and was completed on 2nd December, 2018 at a cost of Rs.15.32 crores.

There are 11 Court rooms in the building. The other facilities available in the building include a ramp, wheelchairs for the physically handicapped and elderly, lift, power backup facilities etc.

15 different courts are functioning in the judgeship with outlying stations at Kantamal and Harabhanga at Charichhaka. Boudh comes under the DCDH at Sonapur which was inaugurated on 12th December, 2022.

In total, 4 different courts in the Judgeship were inaugurated as paperless Courts in 2023.

The Virtual Centre of the High Court of Orissa at Boudh was inaugurated on 19th October, 2023.

Shri Bikram Pradhan was the District and Sessions Judge throughout the year 2023.



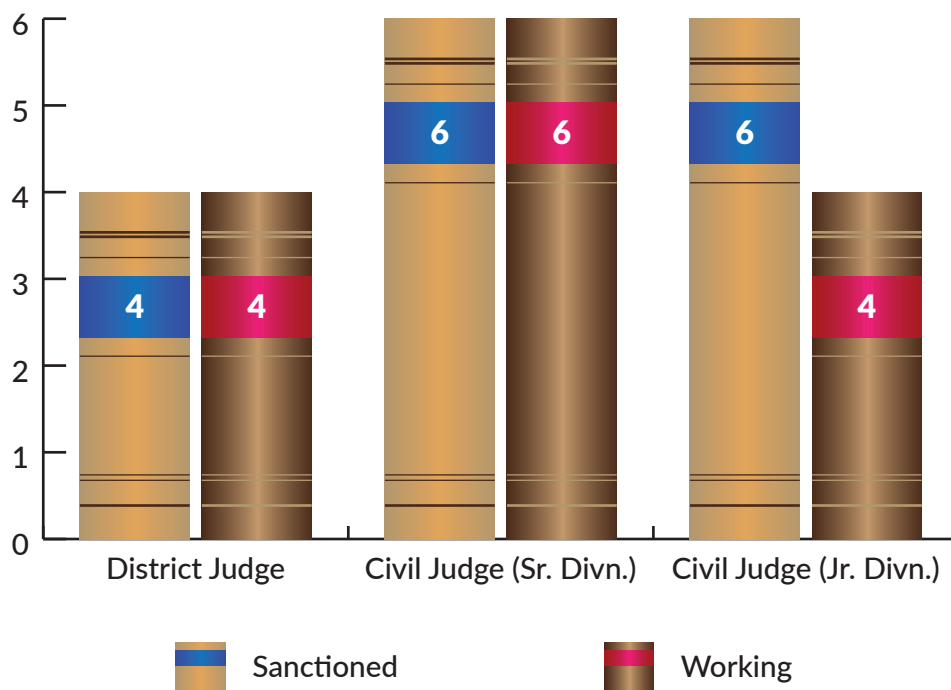
From left to right of the top row- Drawing competition and Observance of Children's Day
Bottom row- Inauguration of ATM in District Court Complex

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	2
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	1
Civil Judge (Sr. Divn.)-cum-Asst. Sessions Judge	2 (includes 1 Women's Court)
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	2
JMFC	3 (includes 1 Court of JMFC (LR & LTV))



Number of judges in each court

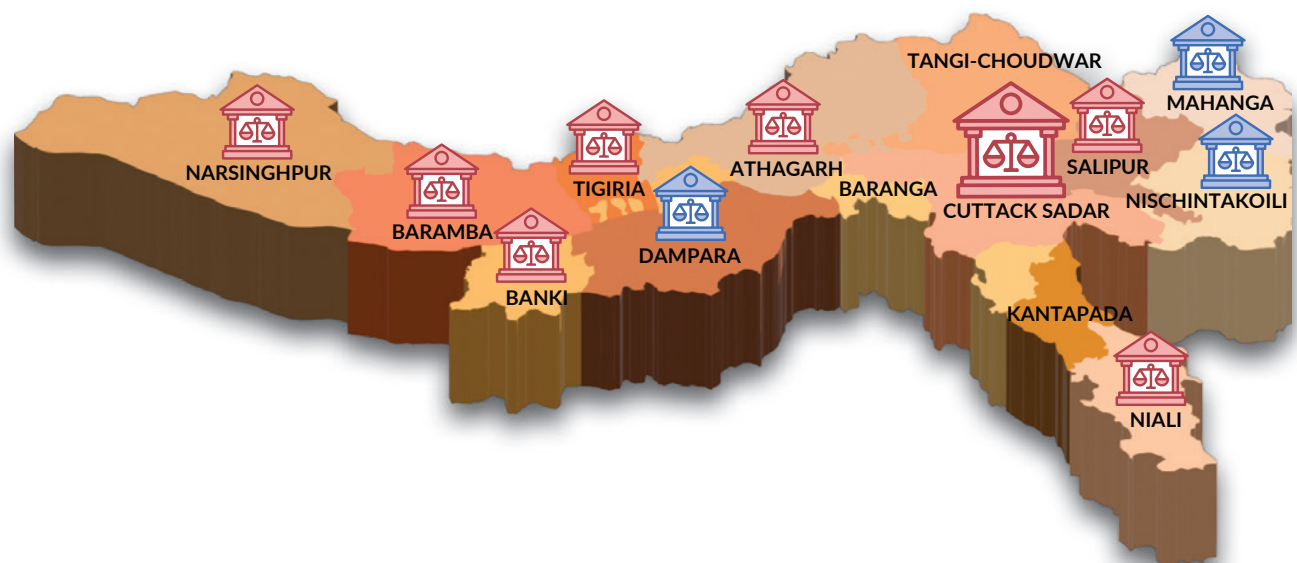


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	1,164	12,713	13,877	472	6,172	6,644	453	2,965	3,418	1,183	15,920	17,103
2023	1,183	15,920	17,103	411	5,720	6,131	483	3,401	3,884	1,111	18,239	19,350



District Judiciary Map Cuttack



Existing Court Complex



Proposed Court Complex



District Court Building, Cuttack

The Judgeship of Cuttack started functioning in 1936. It covered a huge area encompassing the Revenue Districts of Cuttack, Balasore, and Puri as well as the Princely State of Dhenkanal. Subsequently, Puri and Balasore had their separate Judgeships and therefore, Cuttack Judgeship was confined to the Revenue District of Cuttack and Dhenkanal till 1977, when the Judgeship of Dhenkanal was separated. The then Judgeship of Cuttack extended to the Revenue Districts of Cuttack, Kendrapara, Jajpur, and Jagatsinghpur from the year 1977. On 26th and 28th June, 2012, Kendrapara and Jajpur became separate Judgeships respectively.

Today, Cuttack is the largest judgeship of the State in terms of number of courts with 74 different functioning courts with outlying stations at

Athagarh, Narsinghpur, Baramba, Banki, Salipur, Tigiria, and Niali.

The District Court is functioning in the old building comprising old District Court building, Civil Court extension building, and Track Court Building in the District Court Complex.

The District Court Digitization Hub (DCDH), Cuttack was inaugurated on 12th December, 2022, and it serves as a hub for Khorda, Puri, and Jagatsinghpur. A total of 3,22,609 case records comprising of 2,50,77,717 pages were scanned in 2023.

In 2023, following paperless courts were established within the District Court Complex, Cuttack, namely: Civil Judge (Senior Division) (Commercial Court), Cuttack, 5th Addl. Civil Judge



From left to right of the top row- Blood donation camp and Victim Help Desk for Balasore Train accident
Bottom row-Observance of Van Mahotsava Week

(Senior Division), Cuttack, ADJ-cum-Special Court under POCSO Act, Cuttack, Assistant Sessions Judge (STC), Cuttack, Civil Judge (Junior Division), 2nd Court, Cuttack, Special Judge, Special Court, Cuttack, Chief Judicial Magistrate, Cuttack, 3rd Addl. Civil Judge (Sr. Divn.), Cuttack, 4th Addl.

Civil Judge (Sr. Divn.), Cuttack, and 2nd Addl. Civil Judge (Sr. Divn.), Cuttack.

Shri Sowmendra Kumar Rajguru was the District and Sessions Judge till 30th November, 2023, and Shri Sanjaya Ranjan Bohidar took over on 12th December, 2023.

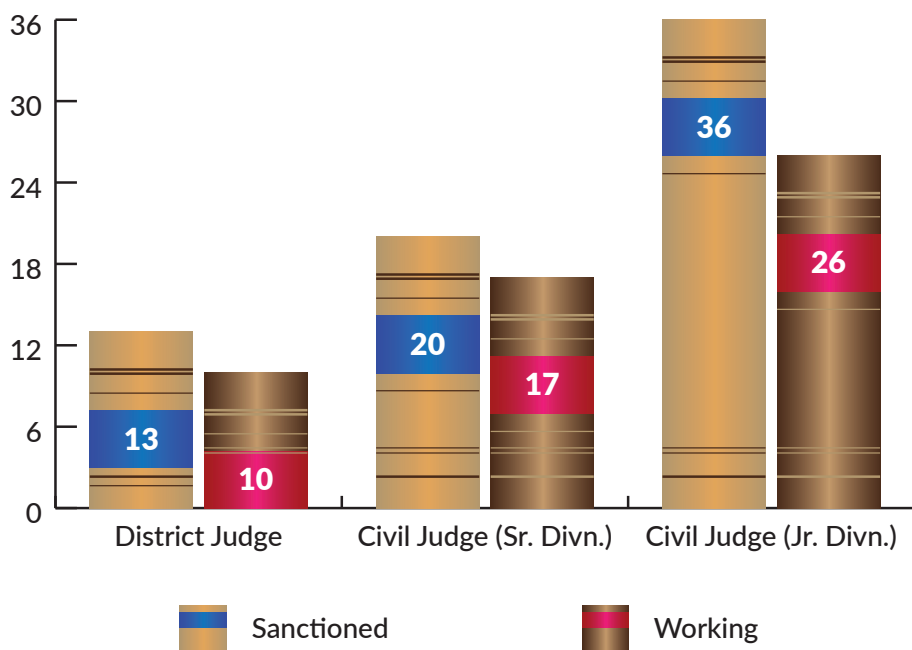
Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	6 (includes 1 Court of ADJ (LR & LTV))
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	2
Special Judge (Vigilance)	2
Special Judge, Special Court	1
Authorized Officer, Special Court	1
Designated Court under OPID Act	1
Special Court under SC & ST (PoA) Act	1



Name of the Court	No. of Courts
Sales Tax Tribunal	2
Chairman, Sales Tax Tribunal	1
Member, State Transport Appellate Tribunal	1
LAR & R Authority	1
P.O, Wakf Tribunal	1
Chief Judicial Magistrate	1
Addl. Chief Judicial Magistrate (Special Court)	1
Special Judicial Magistrate	2
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	4 (includes one Commercial Court)
Addl. Civil Judge (Sr. Divn.)	5
Sub-Divisional Judicial Magistrate	3
Civil Judge (Jr. Divn.)	2
Civil Judge (Sr. Divn.)-cum-Asst. Sessions Judge	4
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
Addl. Civil Judge (Jr. Divn.)-cum-J.M.F.C.	2
JMFC	23 (includes 1 Court of JMFC (City), 1 Court of JMFC (Rural), 1 Court of Transport Magistrate, 4 cognizance taking JMFC Courts and 2 Courts of JMFC (LR & LTV))

Number of judges in each court

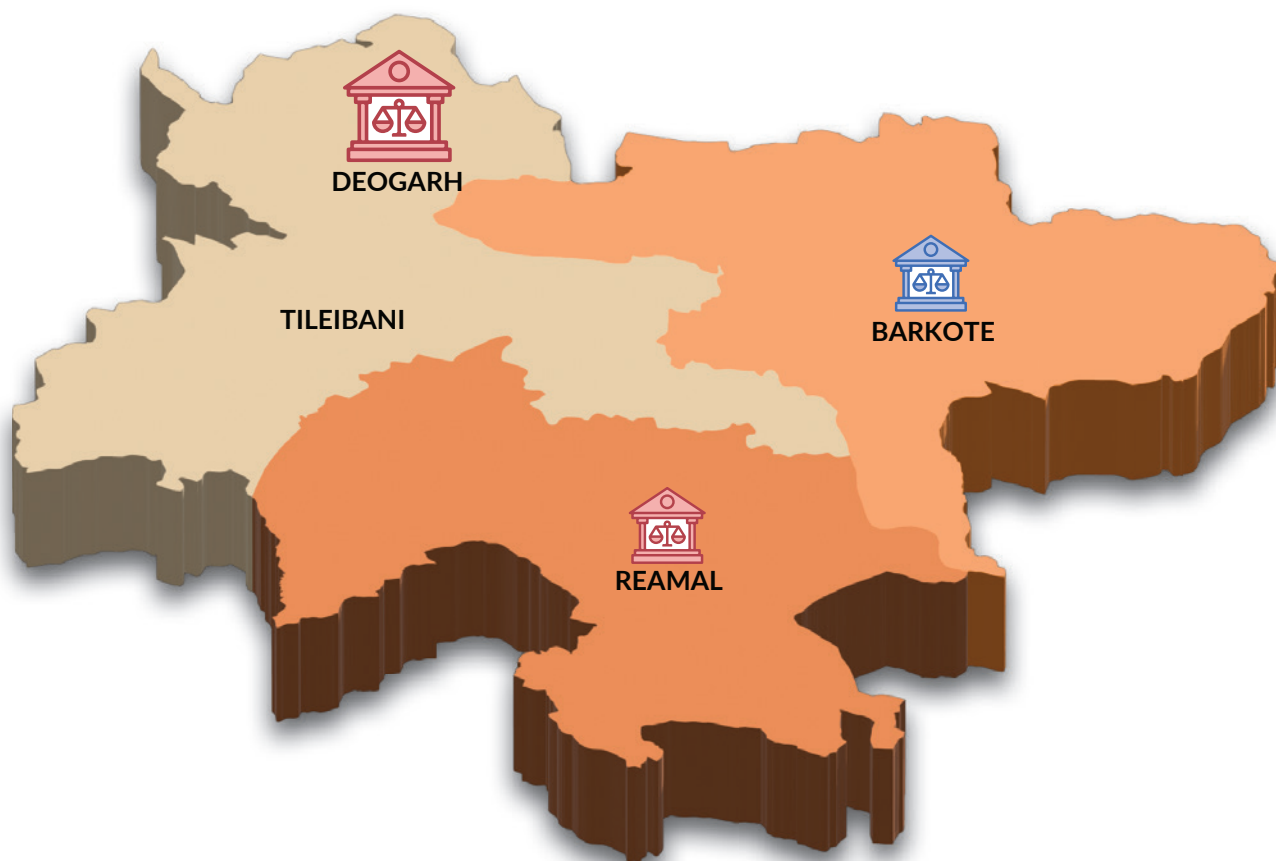


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	40,576	1,30,984	1,71,560	9,755	54,345	64,100	10,118	26,625	36,743	40,213	1,58,704	1,98,917
2023	40,213	1,58,704	1,98,917	10,554	29,031	39,585	12,311	31,220	43,531	38,456	1,56,515	1,94,971



District Judiciary Map Deogarh



Existing Court Complex



Proposed Court Complex



District Court Building, Deogarh

The Judgeship of Deogarh came into existence on 20th April, 2013, after being separated from the parent Judgeship of Sambalpur. The District Court is functioning in the New Building at Purunagarh, Deogarh. The new District Court building was constructed at the cost of nearly Rs. 17 crores. There are 12 Court rooms in the New Court Building. The other facilities available in the building are 6 lifts, Air Conditioners in all Court Halls, Chambers of the Presiding Officers and Offices, Bar hall, and offices. A total of 10 different courts are functioning in the Judgeship with one outlying station at Reamal.

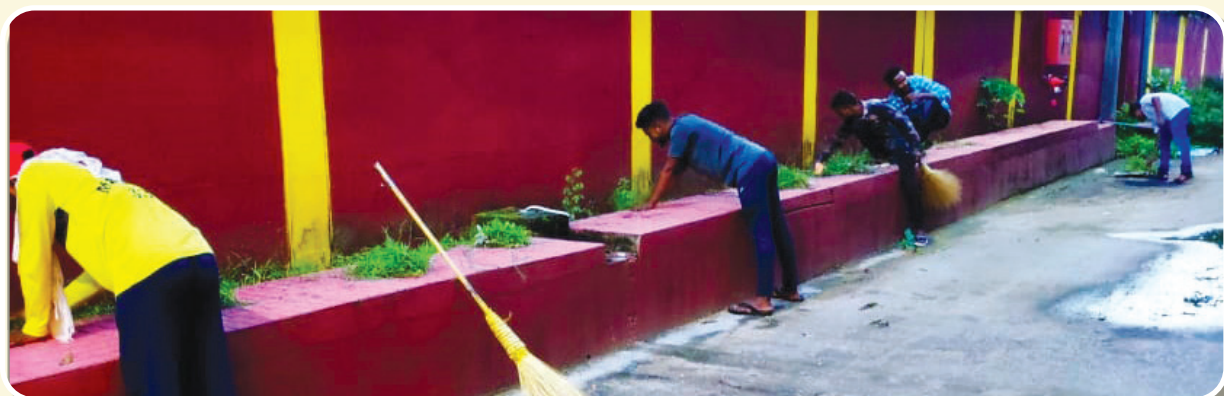
Deogarh comes under the DCDH at Sambalpur which was inaugurated on 12th December, 2022. In 2023, a total of 14,156 case records with

a total of 6,73,976 pages were digitised. The Court of C.J.M. & the Court of J.M.F.C. (LR), Deogarh were declared as paperless Court in 2023. In total, 4 courts were inaugurated as paperless Courts in 2023.

All the Process Servers of the Judgeship were provided with smartphones, and they are serving the summonses/notices successfully to the parties following the SOP in order to implement the NSTEP.

The Virtual Centre of the High Court of Orissa at Deogarh was inaugurated on 19th October, 2023.

Shri Goutam Sharma was the District and Sessions Judge for the entire year of 2023.



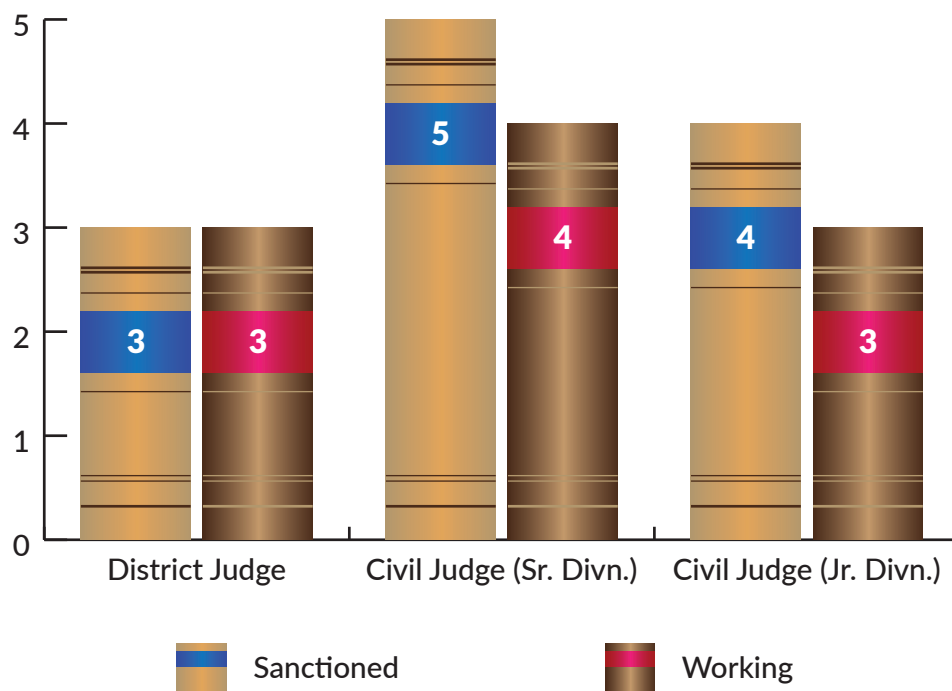
Top row- Yoga and Meditation Session
Bottom row- Observance of Swachhta Abhiyaan

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	1
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	1
J.M.F.C.	2 (includes 1 Court of JMFC (LR & LTV))



Number of judges in each court

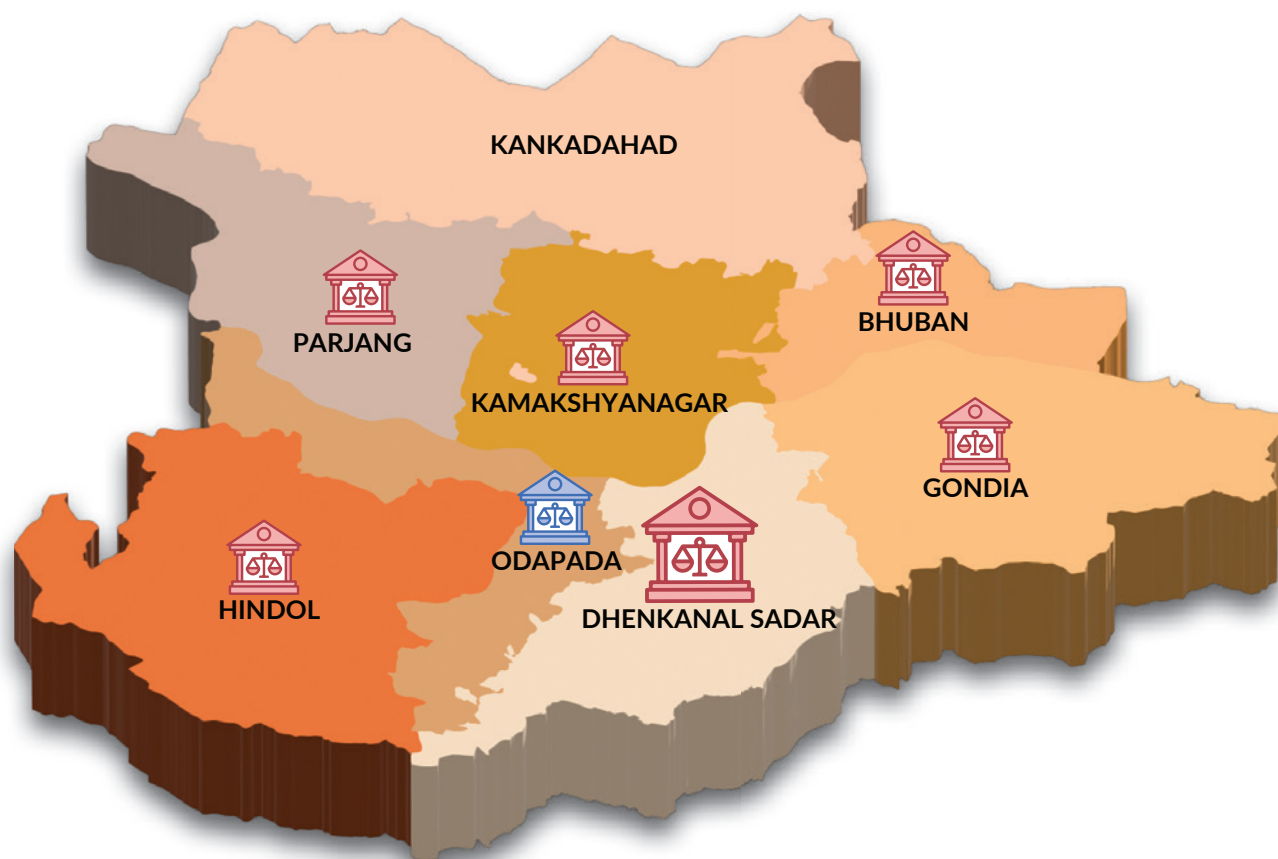


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	855	14,080	14,935	413	4,294	4,707	425	3,819	4,244	843	14,555	15,398
2023	843	14,555	15,398	373	4,138	4,511	437	2,654	3,091	779	16,039	16,818



District Judiciary Map Dhenkanal



Existing Court Complex



Proposed Court Complex



District Court Building, Dhenkanal

The judgeship of Dhenkanal was constituted into a District Judgeship and Sessions Division on 22nd December, 1976. After separation of the Angul Judgeship, the administrative jurisdiction of the District and Sessions Court, Dhenkanal extended to the Subordinate Courts at the outlying stations. 27 different courts are functioning in the Judgeship with outlying stations at Hindol, Kamakshyanagar, Bhuban, Parjang, and Gondia.

The District Court is functioning in a two-storied old building which has 12 Courtrooms.

Dhenkanal comes under the DCDH at Angul which was inaugurated on 12th December, 2022.

The Virtual Centre of the High Court of Orissa at Dhenkanal was inaugurated on 27th March, 2023.

Four courts were declared as paperless courts, and an e-library was made functional at the outlying station at Kamakshyanagar.

Shri Jagdish Prasad Mohanty was the District and Sessions Judge for the entire year of 2023.



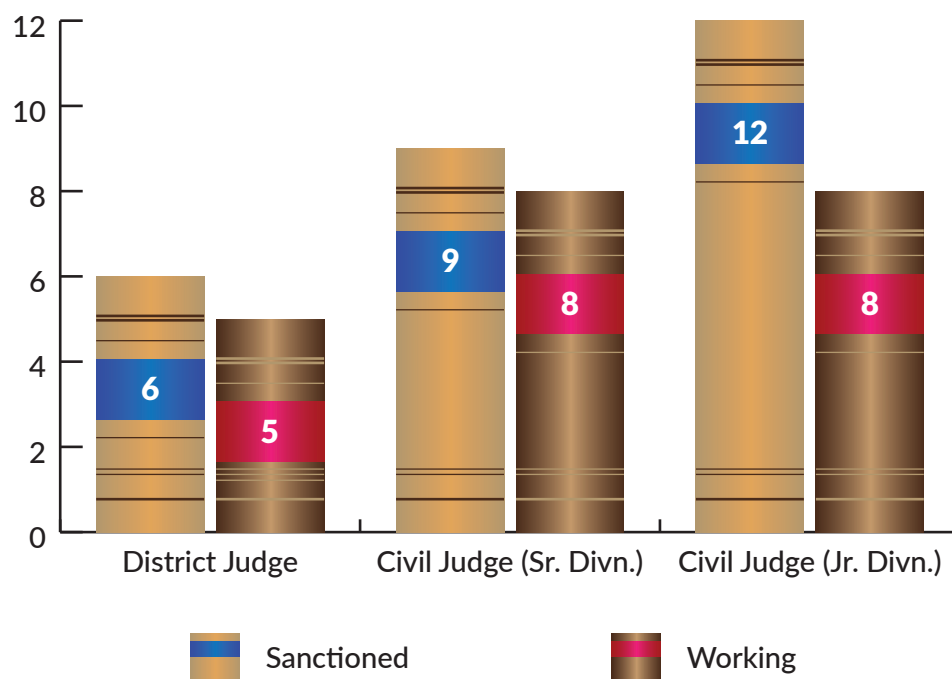
From left to right of the top row- inauguration of paperless court and Yoga day celebration
Bottom row- Drawing competition

Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	2
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Special Judge, (Vigilance)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	5 (includes one women's Court and 1 Court of Civil Judge (Sr. Divn.) (LR & LTV))
Addl. Civil Judge (Sr. Divn.)	1 (OEAT)
Sub-Divisional Judicial Magistrate	3
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
J.M.F.C.	5 (includes 1 cognizance taking JMFC and 1 Court of JMFC (LR & LTV))
Special Judicial Magistrate	1



Number of judges in each court



Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	9,309	34,814	44,123	2,274	10,098	12,372	2,765	9,850	12,615	8,818	35,062	43,880
2023	8,818	35,062	43,880	2,310	12,705	15,015	2,385	8,177	10,562	8,743	39,590	48,333



District Judiciary Map Gajapati



Existing Court Complex



Proposed Court Complex



District Court Building, Gajapati at Parlakhemundi

The Judgeship of Gajapati came into existence on 30th July, 2011 after the bifurcation of the Judgeship of Ganjam-Gajapati and started functioning with headquarters at Parlakhemundi. 15 different courts are functioning in the Judgeship with outlying stations at R. Udayagiri, Mohana, and Kashinagar. The new District Court building was inaugurated on 20th November, 2020. The building has a basement and three floors. There are 11 Courtrooms. The basement is being used for parking of the vehicles. Other facilities such as lift, Air Conditioner, and fire safety measures have been installed in the building. The new District Court building, constructed by OSPH and WCA at a total cost of around

Rs. 17.71 crores, was inaugurated on 20th November, 2021. Gajapati comes under the DCDH at Ganjam which was inaugurated on 12th December, 2022.

The Court of District & Sessions Judge, Gajapati, the Juvenile Justice Board, Gajapati, Parlakhemundi, the Courts of Judge, Family Court, Parlakhemundi, and Civil Judge (Sr. Divn.), Parlakhemundi were inaugurated as Paperless Courts in 2023.

Construction of a new court building of Civil Judge (Sr. Divn.) at R. Udayagiri, Bar Association Hall, and Amenity Centre at Parlakhemundi were started in 2023. Also, the Foundation stone for the construction of Court Building Civil Courts



From left to right of the top row- Foundation stone laying of Court complex, Kashinagar and Cleanliness drive on Gandhi Jayanti
From left to right of the bottom row- Yoga session and awareness programme on social media safety and cyber laws

at Kashinagar was laid by Hon'ble Dr. Justice B.R. Sarangi, the then Acting Chief Justice.

The Virtual Centre of the High Court of Orissa at Gajapati was inaugurated on 19th October,

2023. In 2023, 68,431 Case records (35,97,063 pages) were digitised.

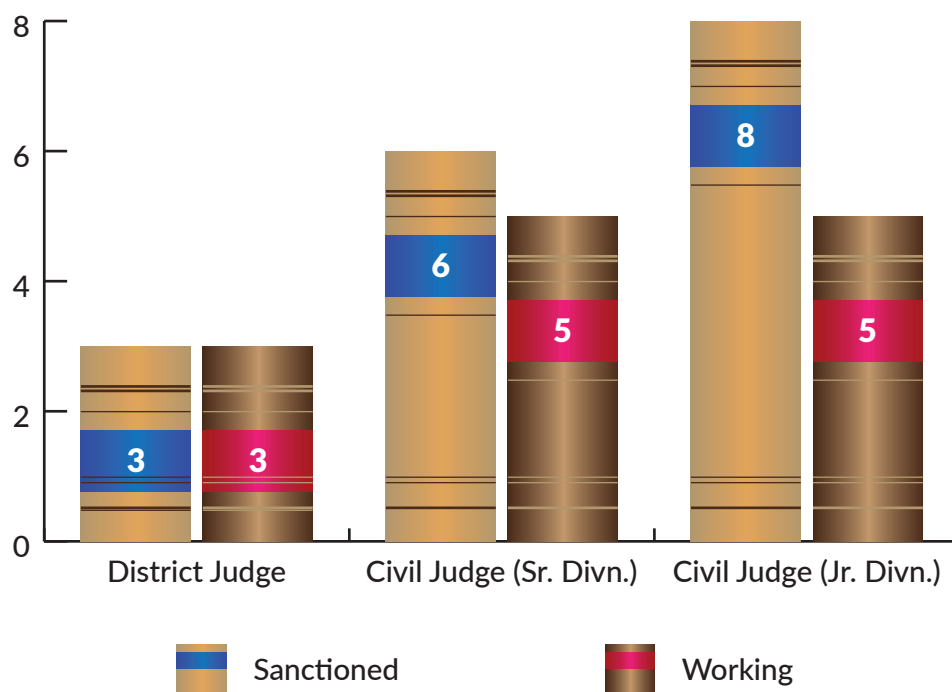
Shri Pranab Kumar Routray was the District and Sessions Judge for the entire year of 2023

Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	2
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	1
JMFC	5 (includes 1 Court of JMFC (LR & LTV))
Gram Nyayalaya	1



Number of judges in each court

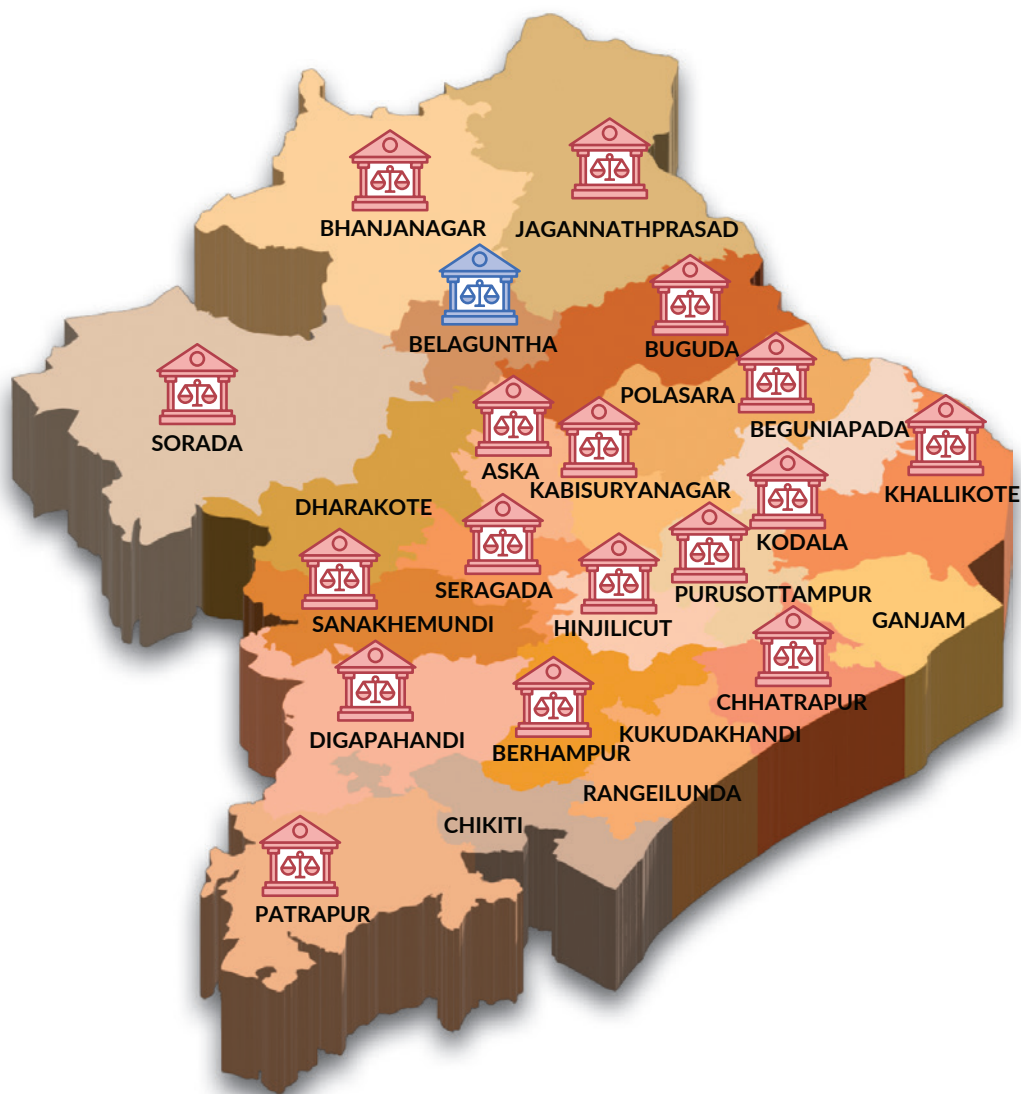


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	584	10,597	11,181	392	4,952	5,344	395	6,668	7,063	581	8,881	9,462
2023	581	8,881	9,462	384	3,578	3,962	462	4,287	4,749	503	8,172	8,675



District Judiciary Map Ganjam



Existing Court Complex



Proposed Court Complex



District Court Building, Ganjam at Berhampur

After the bifurcation of Ganjam & Puri districts on 10th June, 1957, the reorganized Judgeship came to be known as Ganjam. In 1984, Phulbani District was carved out. On 2nd October, 1992, a new District viz Gajapati was constituted and the name of the Judgeship was changed to Ganjam-Gajapati. On 30th July, 2011, when Gajapati District was separated from this Judgeship, it came to be known as Ganjam Judgeship. The headquarters of Ganjam is located at Berhampur. 68 different Courts are functioning in the district with outlying stations at Sanakhemundi, Digapahandi, Chhatrapur, Sorada, Bhanjanagar, Buguda, Kodala, Aska, Patrapur, Purusottampur, Hinjlicut, Seragada, Kabisuryanagar, Polasara, Khallikote, and Jagannathprasad.

The District Court is functioning in an old building

at Berhampur which was constructed in 1948 with 8 Courtrooms. It is spread over a patch of land measuring Ac 3.491 Dec. approximately and in 1948, a building with plinth area of 13,275 sq. ft. housing 10 Courtrooms was constructed adjacent to the old building.

The District Court Digitization Hub (DCDH) was inaugurated on 12th December, 2022, and it serves as a hub for Gajapati. In 2023, 2,27,593 Case records with a total of 1,94,42,239 pages were digitised.

A total of 24 different courts in the Judgeship have been inaugurated as paperless Courts in 2023. Ganjam was the first district where all the Courts in its headquarters became paperless.

The Regional Judicial Academy, Ganjam at



From left to right of the top row- Foundation stone laying for residential complex and inauguration of court complex
From left to right of the bottom row- Inauguration of Regional Judicial Academy and foundation stone laying of new court complex

Berhampur was inaugurated and made functional w.e.f. 13.05.2023. Regular training is being imparted to the Judicial Officers and ministerial staff posted in the cluster districts of Ganjam, Gajapati, Nayagarh and Kandhamal.

The Virtual Centre of the High Court of Orissa at Berhampur, Ganjam was inaugurated on 3rd February, 2023.

The newly built Court buildings at Seragada and Kabisuryanagar were inaugurated on 01.06.2023. The Court of Civil Judge (Sr. Divn.), Sorada was

inaugurated on 10th November, 2023 by Dr. Justice B.R. Sarangi, the then Acting Chief Justice.

Foundation stones for various new Civil Court complexes at Sorada, Purusottampur, Sanakhemundi, and Digapahandi were laid by Dr. Justice B.R. Sarangi, the then Acting Chief Justice.

Shri Ananda Chandra Behera was the District and Sessions Judge till 15th May, 2023. Smt. Rupashree Chowdhury continued thereafter from 16th May, 2023 till the end of the year.

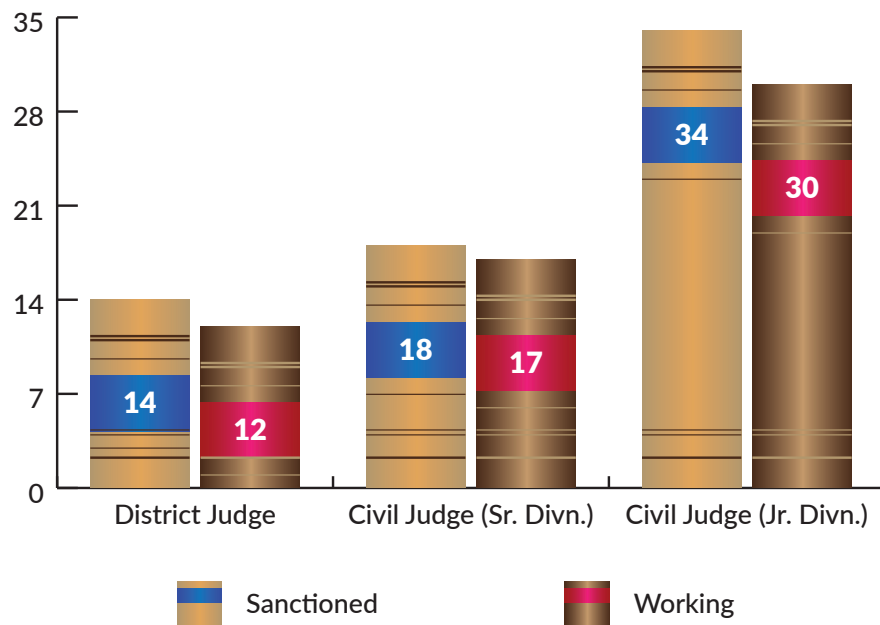
Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	9 (includes 1 Court of ADJ (LR & LTV))
Special Court under POCSO Act	1



Name of the Court	No. of Courts
Ad-hoc ADJ (FTSC)	1
Special Judge (Vigilance)	1
Designated Court under OPID Act	1
2 nd MACT(S.D.)	1
LAR & R Authority	1
Chief Judicial Magistrate	1
Addl. Chief Judicial Magistrate	1
A.S.J.-cum-Registrar,Civil Courts	1
Civil Judge (Sr. Divn.)	11 (includes one Commercial Court and 1 Court of Civil Judge (Sr. Divn.) (LR & LTV))
Addl.Civil Judge (Sr. Divn.)	2
Sub-Divisional Judicial Magistrate	3
Civil Judge (Jr. Divn.)	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	9
J.M.F.C	18 (includes 2 Courts of J.M.F.C. (LR), 1 cognizance taking Court of JMFC (Rural), 1 Court of Transport Magistrate and 1 cognizance taking JMFC Court).
Special Judicial Magistrate	2
Gram Nyayadhikari	1

Number of judges in each court

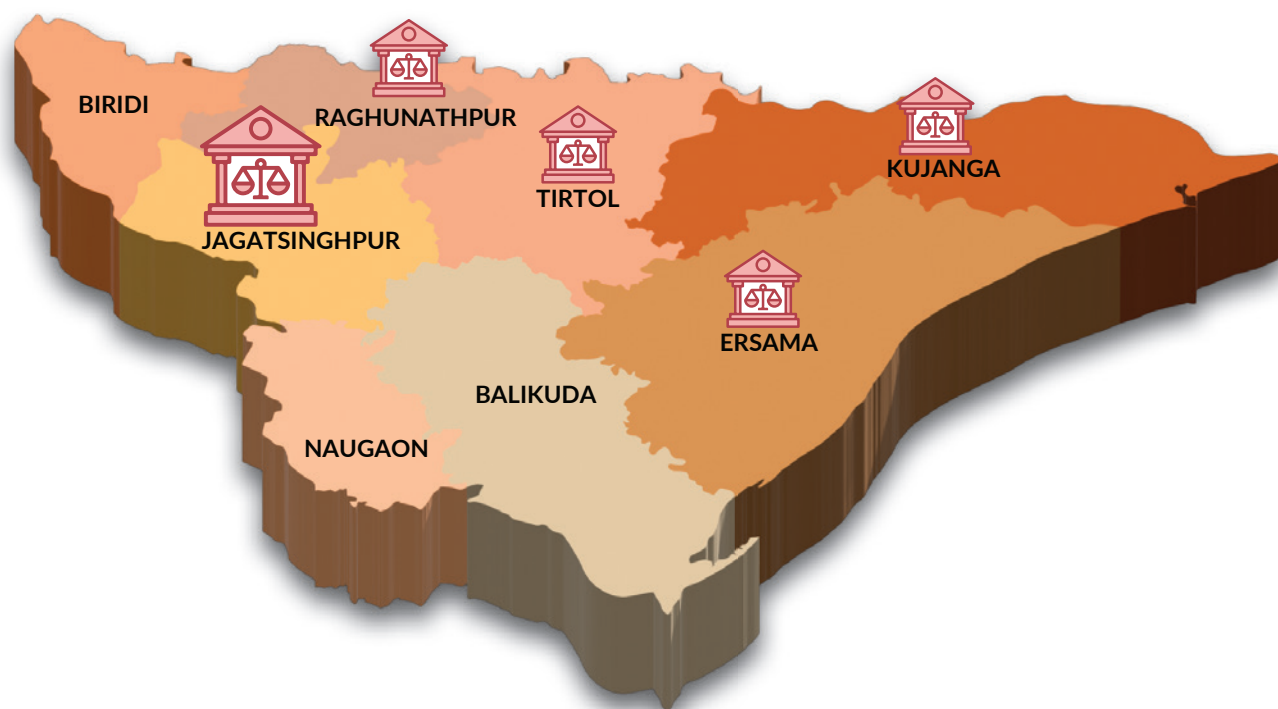


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	14,079	72,798	86,877	6,286	41,744	48,030	8,560	40,717	49,277	11,805	73,825	85,630
2023	11,805	73,825	85,630	4,946	32,640	37,586	5,564	29,015	34,579	11,187	77,450	88,637



District Judiciary Map Jagatsinghpur



Existing Court Complex



Proposed Court Complex



District Court Building, Jagatsinghpur

After its separation from the parent Judgeship of Cuttack, the Judgeship of Jagatsinghpur started functioning from 17th May, 2013. 22 different Courts are functioning in the Judgeship with outlying stations at Kujanga, Tirtol, Raghunathpur, and Ersama.

The new District Court building, constructed by the OSPH & WC at an estimated cost of Rs. 19.86 Crores, was inaugurated on 2nd November, 2019. It is functioning in a new building. There are 15 Courtrooms in the building. It has various facilities like the Bar Hall, ramp for disabled persons, conference hall etc.

Jagatsinghpur comes under the DCDH at

Cuttack which was inaugurated on 12th December, 2022. In 2023, 37,701 Case records with a total of 18,23,582 pages were digitised.

The Virtual Centre of the High Court of Orissa at Jagatsinghpur was inaugurated on 27th March, 2023.

The Court of District & Sessions Judge, Jagatsinghpur, the Court of Addl. District & Sessions Judge-cum-Special Court under POCSO Act, Jagatsinghpur, and the Court of the Chief Judicial Magistrate, Jagatsinghpur were inaugurated as Paperless Courts.

Shri Anup Kumar Chandan was the District & Sessions Judge throughout the year.



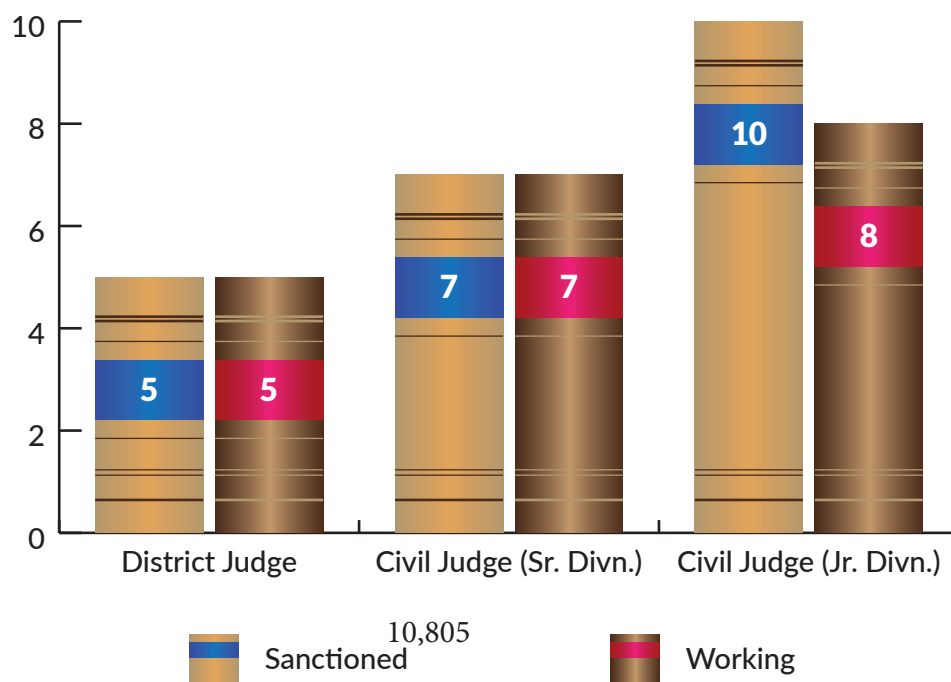
From top to bottom of the left column- district legal literacy festival and mass legal awareness stall
Right Column- Drawing competition

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	2
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	4 (includes one Women's Court and 1 Court of Civil Judge (Sr. Divn.) (LR & LTV))
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)	2
Civil Judge (Jr. Divn.)-cum J.M.F.C.	2
J.M.F.C.	4 (includes 1 Court of J.M.F.C. (LR & LTV) and 1 Cognizance taking Court).
Gram Nyayalaya	1



Number of judges in each court

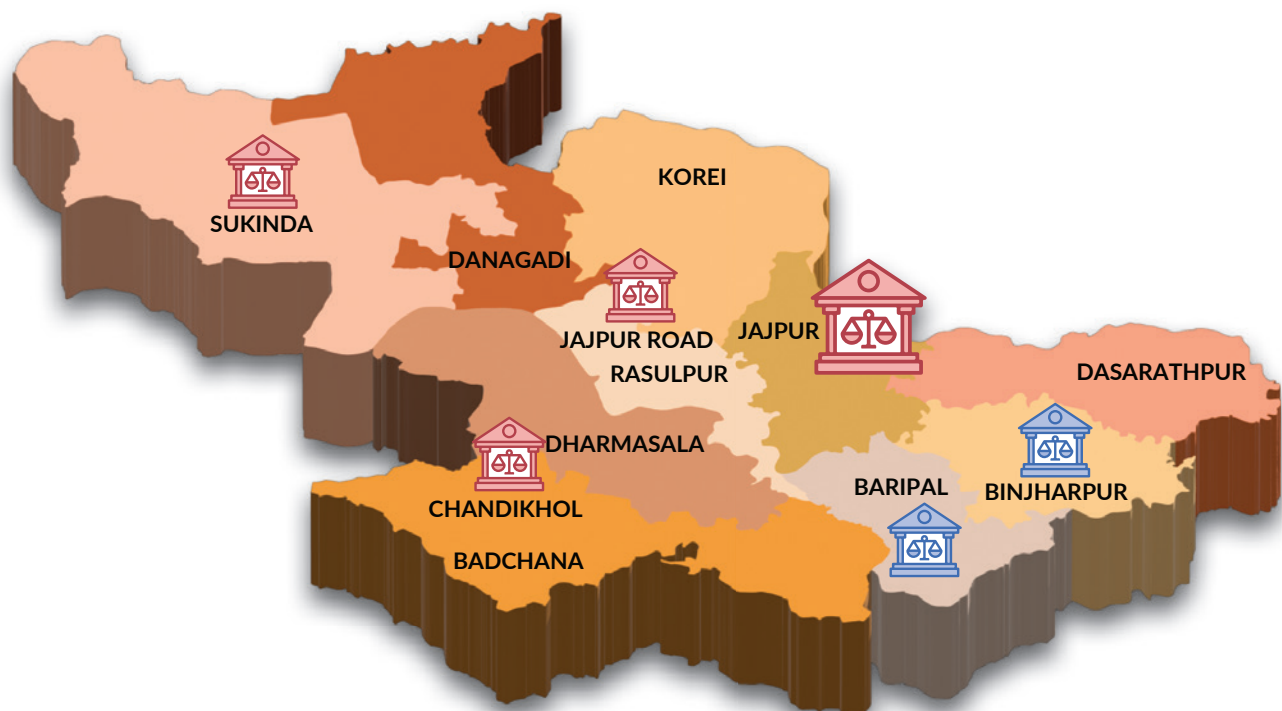


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	12,453	32,591	45,044	2,900	8,057	10,957	3,896	7,693	11,589	11,317	33,230	44,547
2023	11,317	33,230	44,547	3,601	9,459	13,060	4,113	6,847	10,960	10,805	35,842	46,647



District Judiciary Map Jajpur



Existing Court Complex



Proposed Court Complex



District Court Building, Jajpur

Jajpur Judgeship started functioning with effect from 28th June, 2012 after being separated from the erstwhile composite Judgeship of Cuttack, Jagatsingpur, Jajpur and Kendrapara. 27 different Courts are functioning in the Judgeship with outlying areas at Jajpur Road, Sukinda and Chandikhol.

Since 2012, the Court of the District and Sessions Judge is functioning in a single storied old Town Hall, Jajpur having 6 rooms. The said building with an approximate plinth area of 2400 sq.ft. was constructed in 1933. The 12 other Courts of Jajpur are functioning in scattered buildings in the Civil Court Complex.

Jajpur comes under the DCDH at Bhadrak which was inaugurated on 12th December, 2022 in virtual mode by Hon'ble the Chief justice of India.

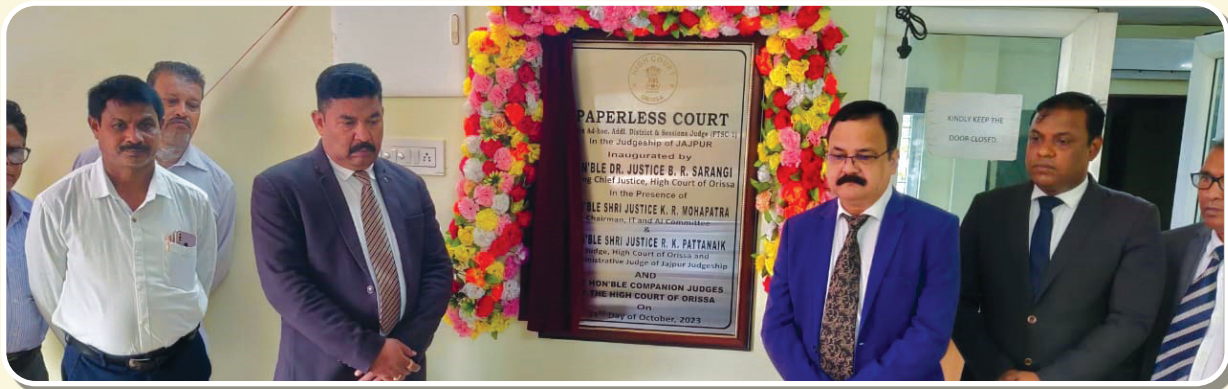
Permanent building of Vulnerable Witness Deposition Centre (VWDC) was completed.

One court i.e Adhoc. Addl. District and Sessions Judge (FTSC-II) was opened on 01.08.2023 at the headquarters station.

The Courts of Civil Judge (Sr. Divn.) (LR & LTV), Jajpur, Registrar-cum-ASJ (STC), Jajpur, Ad-hoc Addl. District & Sessions Judge (FTSC-II) (new court), Jajpur, Chief Judicial Magistrate, Jajpur and Ad-hoc Addl. District & Sessions Judge (FTSC), Jajpur were inaugurated as Paperless Courts.

The Virtual Centre of the High Court of Orissa at Jajpur was inaugurated on 27th March, 2023.

Shri Srikant Mishra was the District & Sessions Judge till 27th December, 2023



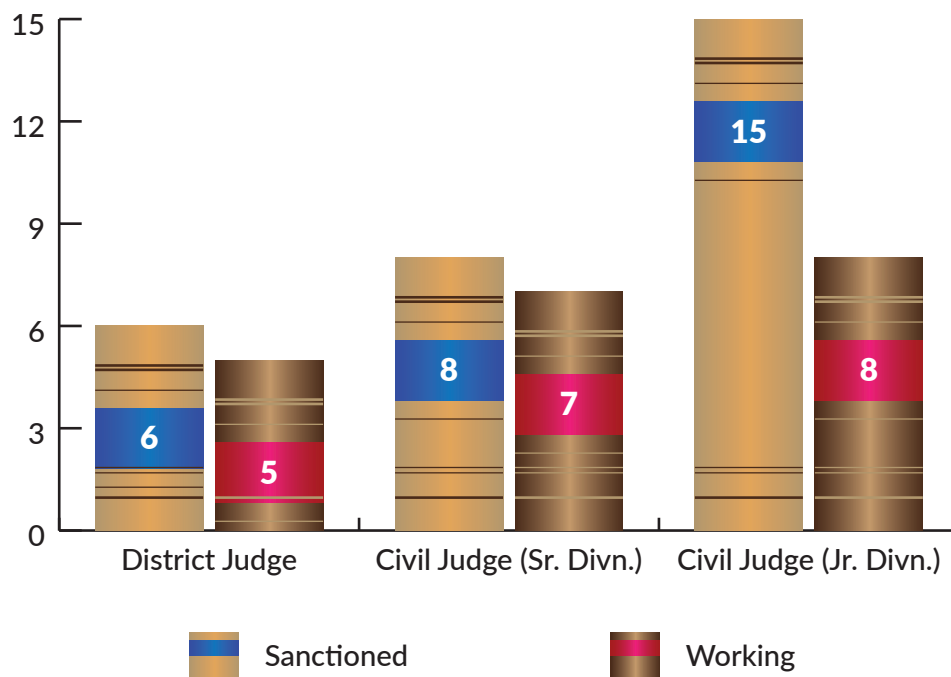
Top row- inauguration of paperless court
Bottom row- Inauguration of Fast Track Special Court

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	2
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	2
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	4 (includes one Court of Civil Judge (Sr. Divn.) (LR & LTV))
Addl.Civil Judge (Sr. Divn.)	1
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	2
J.M.F.C.	7 (includes 2 Courts of J.M.F.C. (LR & LTV))
Special Judicial Magistrate	1
Gram Nyayalaya	1



Number of judges in each court

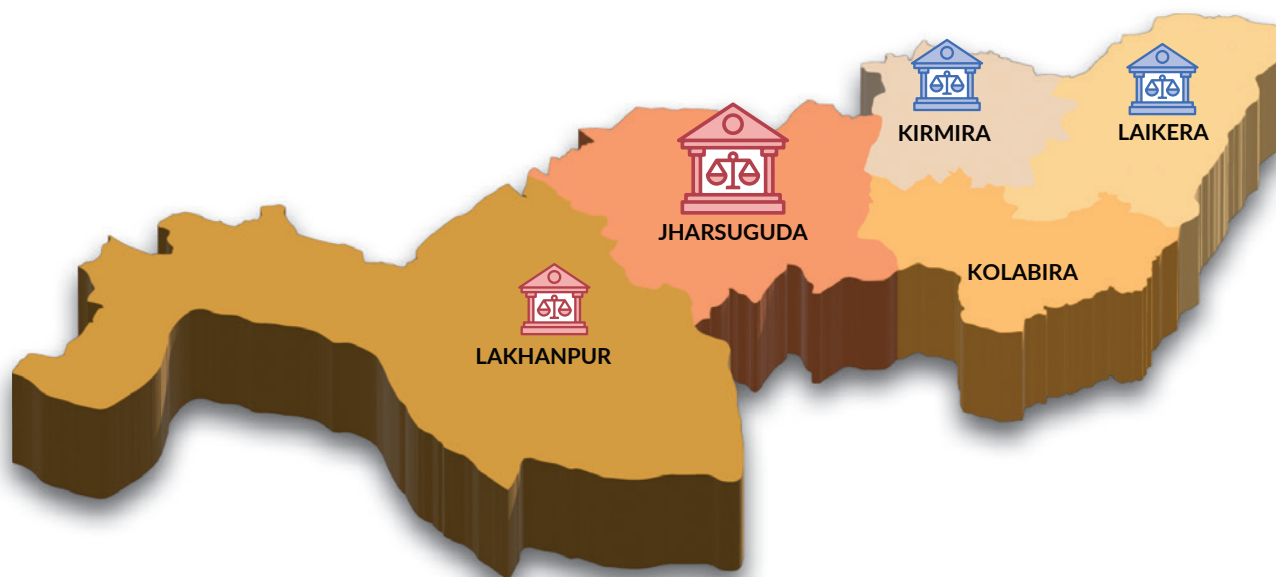


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	23,039	60,623	83,662	3,991	11,926	15,917	3,756	6,282	10,038	23,274	66,267	89,541
2023	23,274	66,267	89,541	4,539	13,700	18,239	5,074	8,631	13,705	22,739	71,336	94,075



District Judiciary Map Jharsuguda



Existing Court Complex



Proposed Court Complex



District Court Building, Jharsuguda

The Judgeship of Jharsuguda commenced on 24th November, 2011. Until 23rd September, 2011, it was under the jurisdiction of undivided Sambalpur. The construction of the new building by the P.W.D. (R&B) Division at a cost of Rs. 14.20 Crores started on 25th January, 2014, and was completed on 30th June, 2016. The District Court is functioning in a new building having 11 Courtrooms. Its construction by the R&B was completed by 30th June, 2016 at the cost of Rs. 14.20 Crores approximately. The facilities available in the building include lift, ramp for disabled persons, e-Sewa Kendra, and VC Cabin. 16 different Courts are functioning in the Judgeship with one outlying station at Lakhanpur.

The District Court Digitization Hub (DCDH) was inaugurated on 12th December, 2022 in virtual mode by the Chief Justice of India and it serves as a hub for Sundargarh.

The Court of Additional District & Sessions Judge, Jharsuguda, Chief Judicial Magistrate, Additional District & Sessions Judge-cum-Special Judge under POCSO Act and Civil Judge (Sr. Divn.) (Women's Court) were inaugurated as Paperless Courts in 2023.

The Virtual Centre of the High Court of Orissa at Jharsuguda was inaugurated on 19th October, 2023. In 2023, 82,492 Case records with a total of 61,94,772 pages were digitised.

Shri Digambar Prusty was the District and Sessions Judge throughout the year.



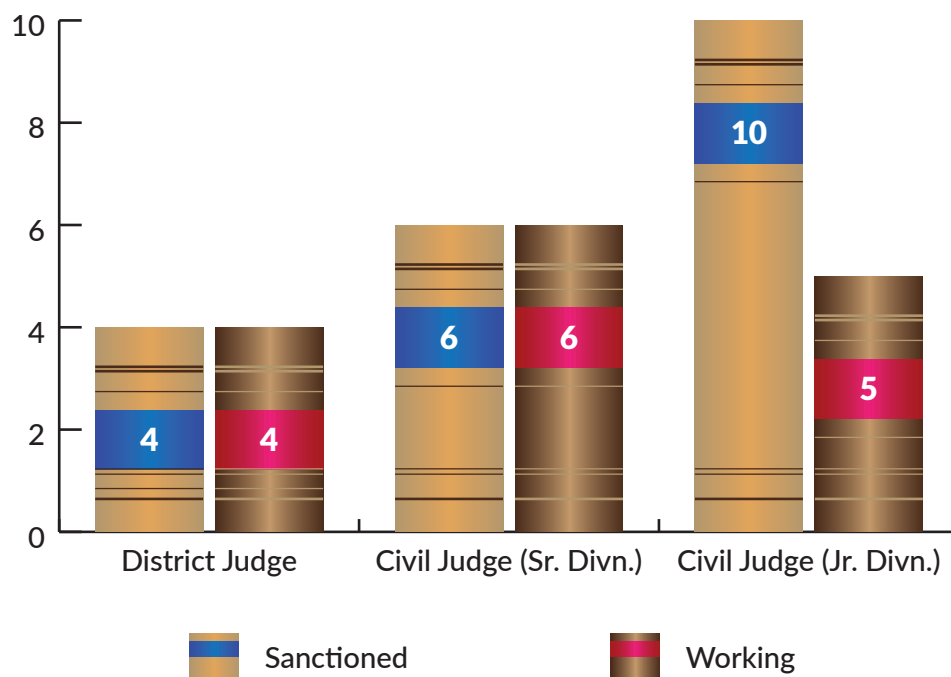
From left to right of the top row- Foundation stone laying of bar hall with amenity centre and inauguration of Virtual Centre of the High Court
From left to right of the Middle row- Yoga day celebration and drawing competition
Bottom row- Cleanliness drive

Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	1
Special Court under POCSO Act	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	3 (includes 1 Court of Civil Judge (Sr. Divn.) (LR & LTV and 1 Women's Court))
Civil Judge (Jr. Divn.)	1
Sub-Divisional Judicial Magistrate	1
JMFC	4 (includes 1 Court of J.M.F.C. (LR & LTV) and 1 Cognizance taking Court)
Gram Nyayalaya	1



Number of judges in each court

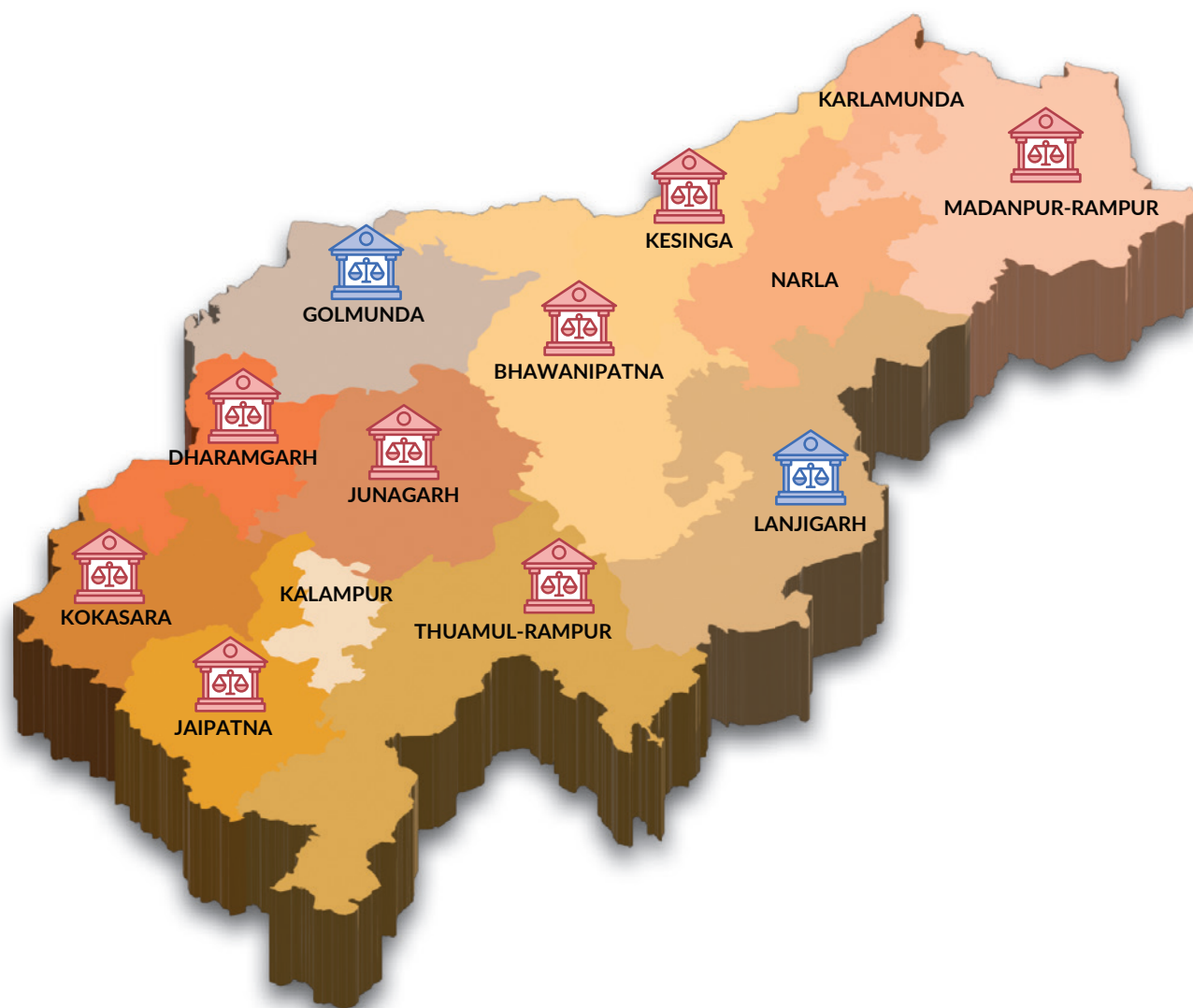


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	4,184	35,838	40,022	1,228	19,876	21,104	1,736	18,588	20,324	3,676	37,126	40,802
2023	3,676	37,126	40,802	948	9,322	10,270	1,080	6,601	7,681	3,544	39,847	43,391



District Judiciary Map Kalahandi



Existing Court Complex



Proposed Court Complex



District Court Building, Kalahandi at Bhawanipatna

Kalahandi was a princely state in British India. It merged with Orissa State as Kalahandi District comprising the current Kalahandi and Nuapada Districts. Though in 1993, Nuapada sub-division was carved out as a separate district, Kalahandi (Lok Sabha constituency) continued to represent both Kalahandi and Nuapada Districts together. The judgeship of Nuapada was separated from Kalahandi on 7th July, 2012. The District Court is functioning in a new building at Bhawanipatna. It has 11 well-furnished Court Halls and facilities like office, library, waiting hall for the witnesses, Bar Hall, lift, drinking water, ramp for disabled persons and separate washroom facilities for disabled persons. Its construction, by the OSPH & WC, at an estimated cost of around Rs. 22.5

Crores was completed on 25th November, 2020. The building was inaugurated on 6th March, 2021. 31 different Courts are functioning in the Judgeship with outlying stations at Kesinga, Madanpur-Rampur, Dharamgarh, Junagarh, Kokasara, Jaipatna and T.Rampur.

The District Court Digitization Hub (DCDH) was inaugurated on 12th December, 2022 in Virtual Mode by the Chief Justice of India and it serves as a hub for Nuapada. In 2023, 63,018 Case records with a total of 75,79,047 pages were digitised.

New Court Buildings at Kesinga, Madanpur-Rampur were inaugurated on 30.04.2023.

The Courts of Civil Judge (Sr. Divn.)-cum-Asst. Sessions Judge (Women's Court), Bhawanipatna,



From left to right of the top row- Awareness programme on PoSH Act and Health Check-up camp
From left to right of middle row- International Yoga day celebration and Observance of Environment Day
Bottom row- Drawing competition

Civil Judge (Sr. Divn.) (LR & LTV), Bhawanipatna, Judge, Family Court, Bhawanipatna, Chief Judicial Magistrate, Kalahandi, Bhawanipatna, Additional District & Sessions Judge-cum-Special Court under POCSO Act, Bhawanipatna, and Adhoc Additional District & Sessions Judge (FTSC), Bhawanipatna were inaugurated as

Paperless Courts.

The Virtual Centre of the High Court of Orissa at Bhawanipatna, Kalahandi was inaugurated on 3rd February, 2023.

Shri Dipti Ranjan Kanungo was the District & Sessions Judge throughout the year, 2023.

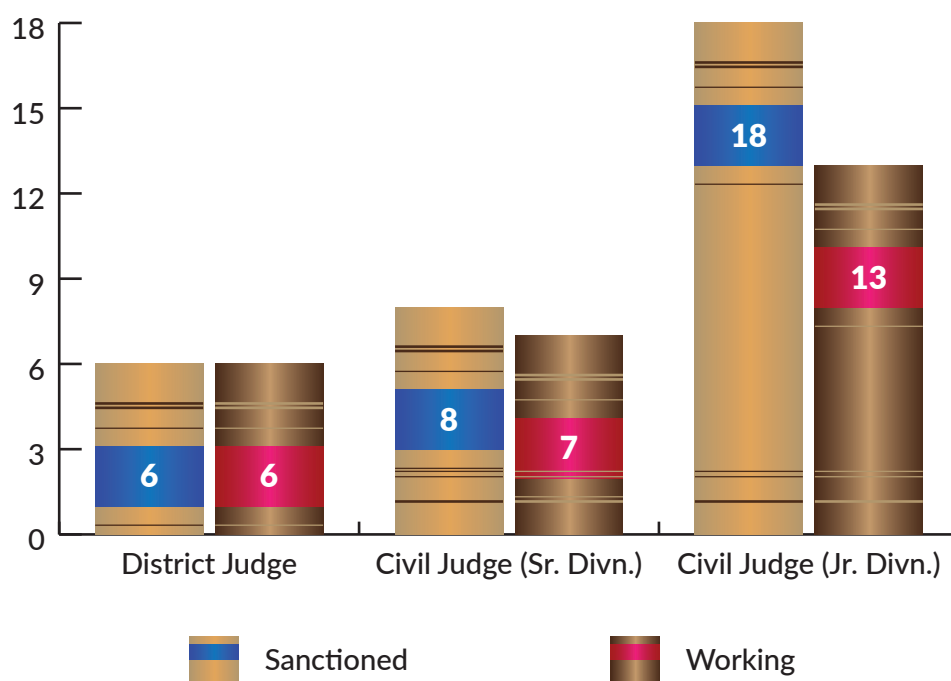
Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	2
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Special Judge (Vigilance)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1



Name of the Court	No. of Courts
Civil Judge (Sr. Divn.)	5 (includes 1 Court of Civil Judge (Sr. Divn.) (LR & LTV) and one Women's Court)
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Divn.)-cum J.M.F.C.	5
Addl. Civil Judge (Jr. Divn.)-cum J.M.F.C.	1
J.M.F.C.	7(includes 1 Court of J.M.F.C. (LR & LTV))
Special Judicial Magistrate	1
Gram Nyayadhikari	1

Number of judges in each court

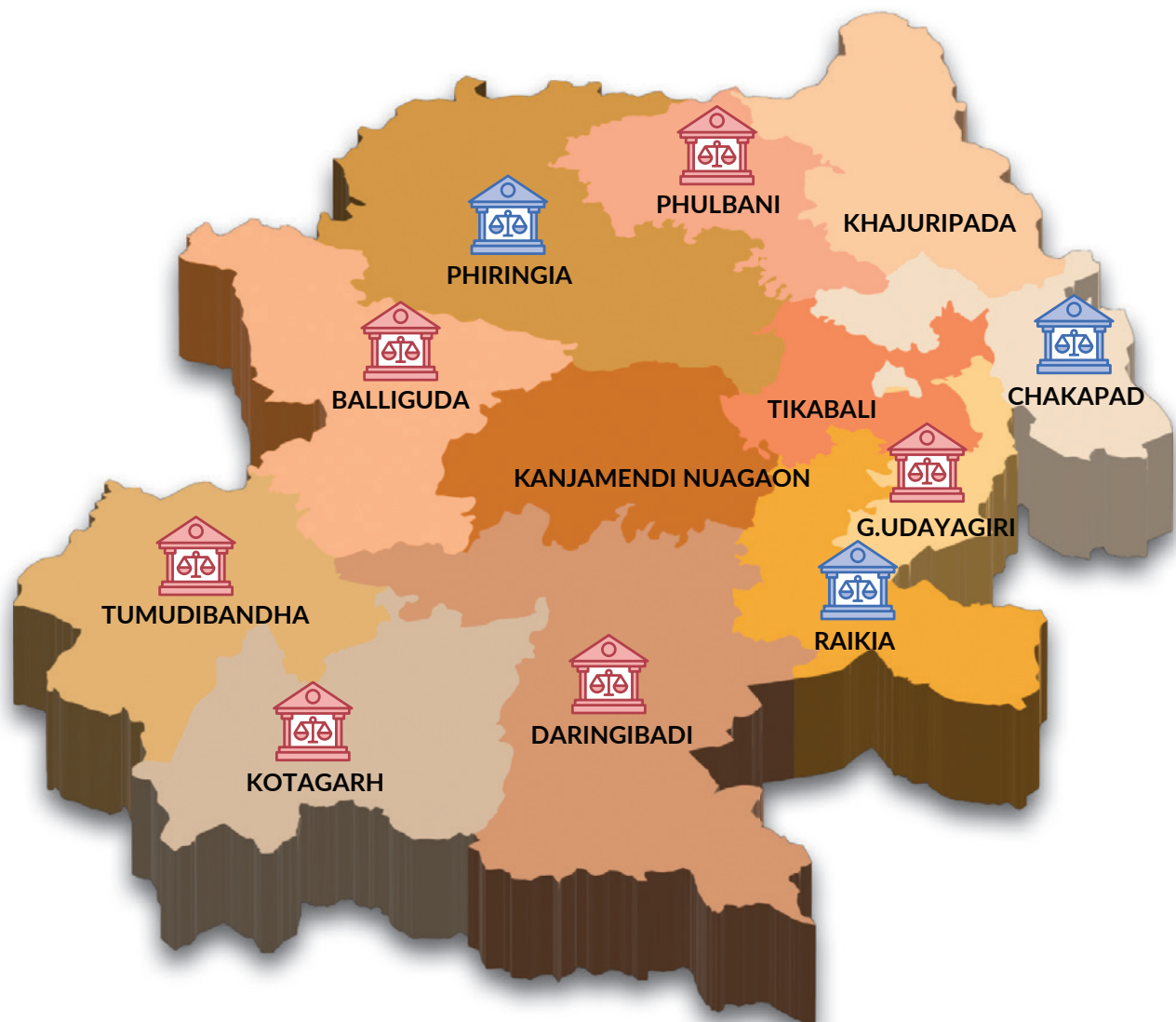


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	4,452	40,235	44,687	1,752	11,183	12,935	2,132	11,245	13,377	4,072	40,173	44,245
2023	4,072	40,173	44,245	1,809	10,741	12,550	2,019	11,513	13,532	3,862	39,401	43,263



District Judiciary Map Kandhamal



Existing Court Complex



Proposed Court Complex



District Court Building, Kandhamal at Phulbani

The district of Kandhamal was constituted on 1st January, 1994 from the former Boudh-Kandhamal District with its headquarters at Phulbani. Since 11th April, 1984, the Judgeship of Phulbani was separated from the combined Judgeship of Ganjam-Boudh, constituting its territorial jurisdiction over three sub-divisions, Phulbani, Boudh & Balliguda with 7 subordinate Courts. After the separation of Boudh, the Judgeship of Phulbani is presently functioning with 24 different Courts with outlying stations at Balliguda, G. Udayagiri, Daringibadi, Kotagarh, and Tumudibandha. The District Court is functioning in an old building constructed in 1999 having two floors with 9 Courtrooms, of which 2 are in ground floor and the other 5 are in the first floor. Adjacent to this old building, there exists another Court Building

with 2 other Court rooms having facilities like Video Conferencing (VC) Hall, VC Cabin, and E-Sewa Kendra. Kandhamal comes under the DCDH at Nayagarh which was inaugurated on 12th December, 2022 in Virtual Mode by the Chief Justice of India.

Three numbers of paperless courts of Asst. Sessions Judge-(Women's Court), Phulbani, J.M.F.C., Phulbani & Addl. District & Sessions Judge - cum- Special Judge, Vigilance, Phulbani, Kandhamal were inaugurated in 2023.

The Virtual Centre of the High Court of Orissa at Kandhamal at Phulbani was inaugurated on 27th March, 2023.

Shri Satyapira Mishra was the District and Sessions Judge for the entire year of 2023.



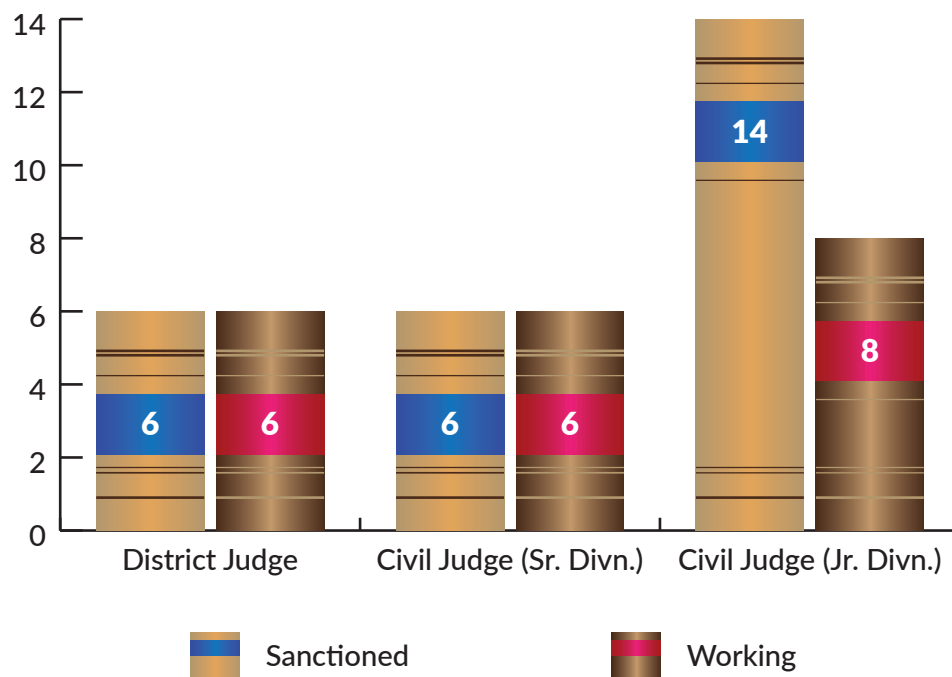
From left to right of the row- Foundation stone laying of court complex and inauguration of paperless court

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	2
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Special Judge (Vigilance)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	3 (includes 1 Women's Court)
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Divn.)-cum- J.M.F.C.	3
J.M.F.C.	6 (includes 1 Court of J.M.F.C. (LR & LTV))



Number of judges in each court

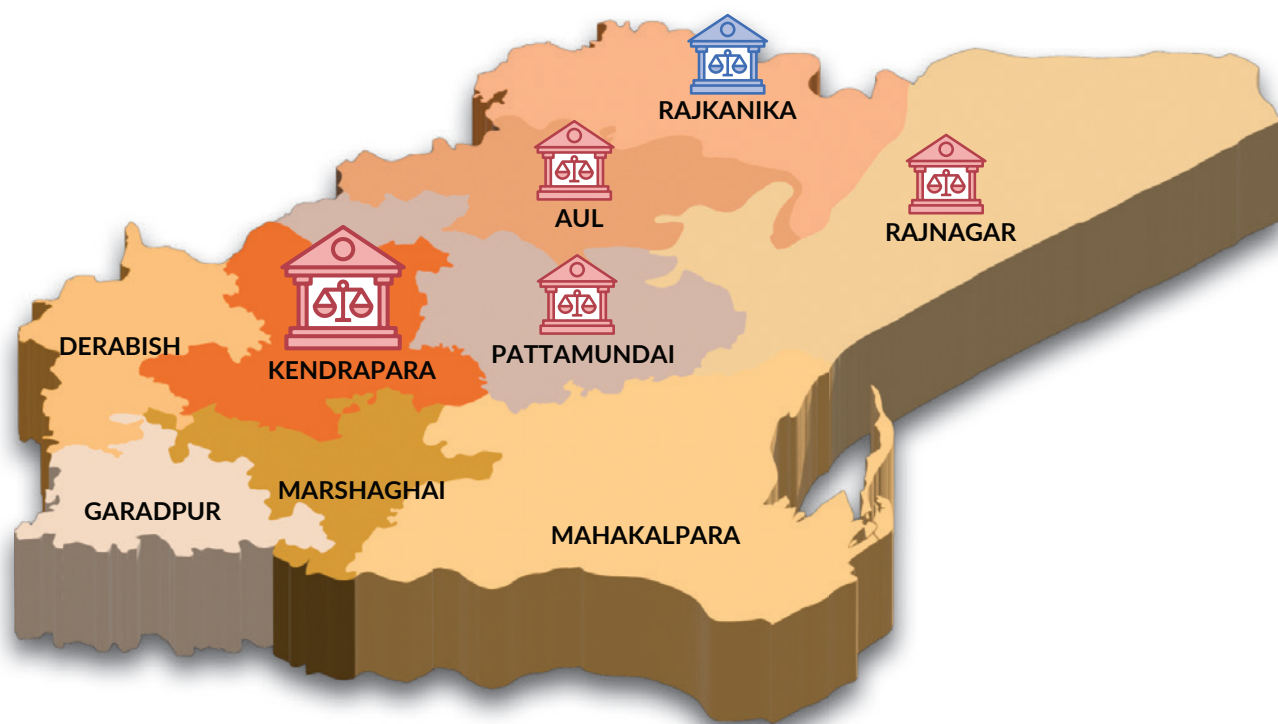


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	949	16,898	17,847	411	7,456	7,867	444	8,969	9,413	916	15,385	16,301
2023	916	15,385	16,301	435	6,407	6,842	527	5,962	6,489	824	15,830	16,654



District Judiciary Map Kendrapara



Existing Court Complex



Proposed Court Complex



District Court Building, Kendrapara

The judgeship of Kendrapara was separated from Cuttack Judgeship and was established on 26th June, 2012. 22 different courts are functioning in the Judgeship with outlying stations at Pattamundai, Rajnagar and Aul. The new building, which was inaugurated on 20th February, 2020, was constructed by the OSPH & WC at a cost of Rs. 19.68 Crores. It has 16 Courtrooms along with facilities like lift, V.C room, Advocate V.C. Point, Firefighting system, e-Sewa Kendra, Ramp for differently-abled persons etc.

Kendrapara comes under the DCDH at Bhadrak which was inaugurated on 12th December, 2022 in Virtual Mode by the Chief Justice of India.

The New Court building of JMFC, Aul was inaugurated on 10.09.2023.

The Virtual Centre of the High Court of Orissa at Kendrapara was established in this Judgeship on 27.03.2023 in the Old Court Building premises.

Court of Addl. District & Sessions Judge, Kendrapara, the Court of Addl. District & Sessions Judge-cum-Special Judge Court under POC SO Act and the Court of Chief Judicial Magistrate, Kendrapara were made paperless in 2023.

Shri Biswajit Mahanty was the District and Sessions Judge for the entire year of 2023.



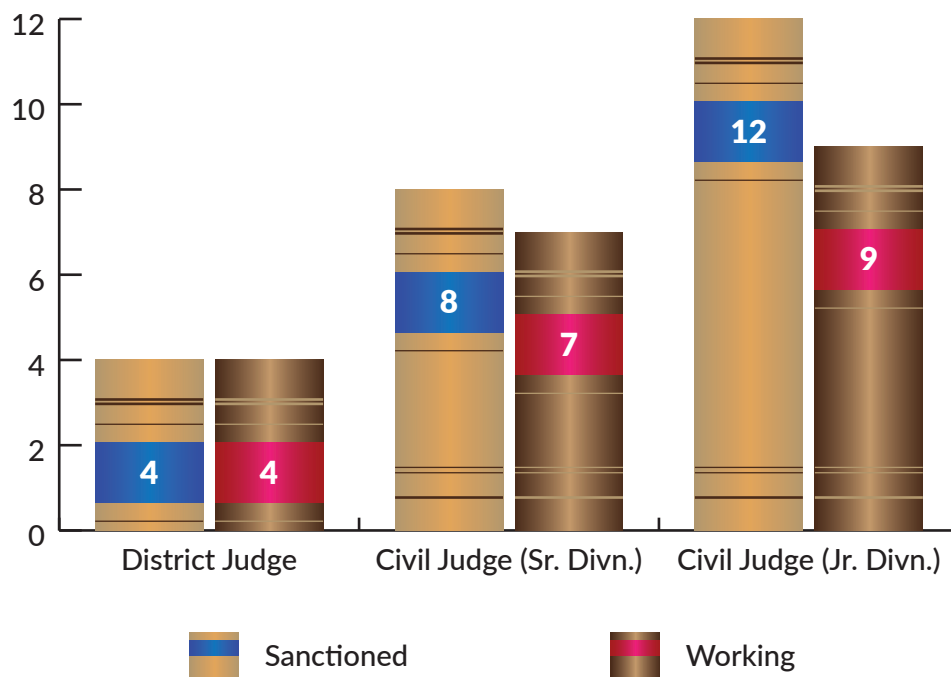
From left to right of the top row-DLSA Free health camp and fire fighting training session
Bottom row-Inauguration of court complex

Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	1
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	3 (includes 1 Court of Civil Judge (Sr. Divn.) (LR & LTV))
Addl.Civil Judge (Sr. Divn.)	1
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)	1
Civil Judge (Jr. Divn.)-cum J.M.F.C.	2
Addl.Civil Judge (Jr. Divn.)-cum-J.M.F.C.	1
JMFC	5 (includes 1 Court of J.M.F.C. (LR & LTV) and 1 cognizance taking J.M.F.C.)
Gram Nyayadhikari	1



Number of judges in each court

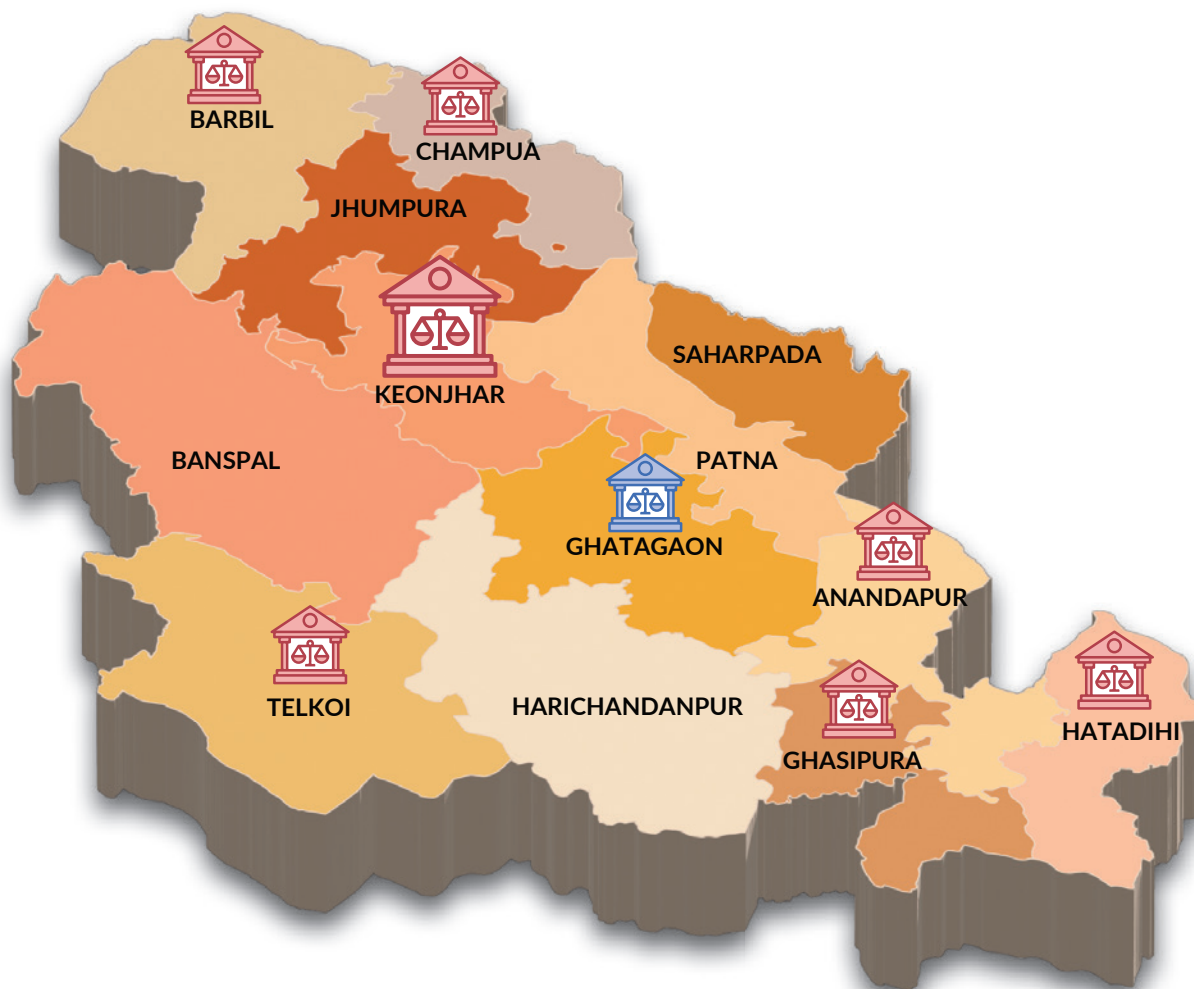


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	19,025	38,667	57,692	2,903	8,288	11,191	3,352	4,735	8,087	18,576	42,220	60,796
2023	18,576	42,220	60,796	3,441	7,603	11,044	4,158	6,030	10,188	17,859	43,793	61,652



District Judiciary Map Keonjhar



Existing Court Complex



Proposed Court Complex



District Court Building, Keonjhar

The judgeship of Keonjhar was separated from the Mayurbhanj judgeship on 28th February 1982. Currently, 29 different courts are functioning in the judgeship with outlying stations at Anandapur, Ghasipura, Hatadihi, Champua, Telkoi, and Barbil. Initially, the Court functioned at the Collectorate building and was shifted to a new building on 21st April 2004. There are 14 courtrooms in the building. It has facilities like e-Sewa Kendra, e-Filing Centre, e-Meeting help desk, video conferencing room, and e-Kiosk.

The Courts of Chief Judicial Magistrate, Keonjhar, Civil Judge (Sr. Divn.) (Women's Court), Adhoc Addl. District & Sessions Judge (FTSC), Keonjhar & Addl. District & Sessions

Judge, Keonjhar, Additional District & Sessions Judge-cum-Special Judge(Vigilance), Additional District and Sessions Judge-cum-Special Court under POCSO Act, at Keonjhar were made paperless courts in 2023.

The Virtual Centre of the High Court of Orissa at Keonjhar was inaugurated on 27th March, 2023.

In 2023, 64,928 case records comprising 58,42,482 pages were digitized at D.C.D.H, Keonjhar.

Shri Chittaranjan Mohapatra was the District judge till 31st July 2023. Shri Ashok Ku. Panda took over on 10th October 2023.



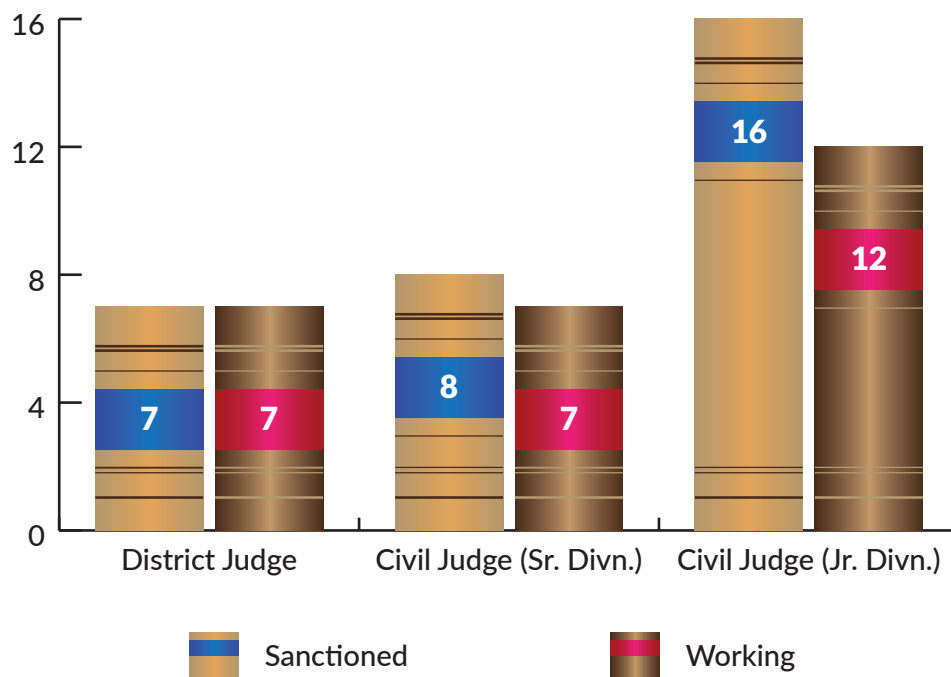
From left to right of the top row- inauguration of bar e-library and Virtual Centre of the High Court
Bottom row- District Level legal literacy festival

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	3
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Special Judge (Vigilance)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	4 (includes 1 Women's Court)
Sub-Divisional Judicial Magistrate	3
Civil Judge (Jr. Divn.)-cum J.M.F.C.	3 (including 2 Courts of LR & LTV)
JMFC	8 (includes 1 Court of J.M.F.C. (LR & LTV) and 1 cognizance taking J.M.F.C.)
Gram Nyayadhikari	1



Number of judges in each court

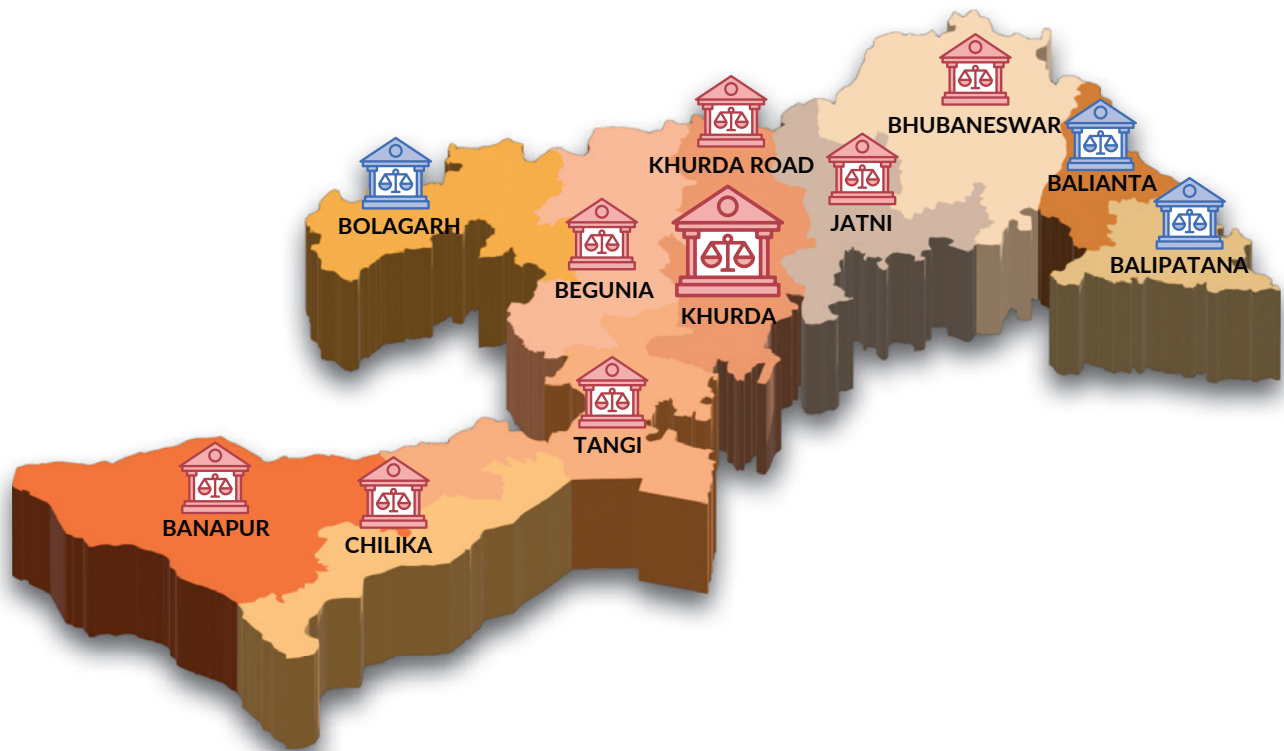


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	8,700	42,289	50,989	2,502	23,551	26,053	1,908	21,284	23,192	9,294	44,556	53,850
2023	9,294	44,556	53,850	2,050	10,213	12,263	1,942	7,342	9,284	9,402	47,427	56,829



District Judiciary Map Khurda



Existing Court Complex



Proposed Court Complex



District Court Building, Khurda at Bhubaneswar

The Judgeship of Khurda was inaugurated on 1st May 1997 after being bifurcated from the Judgeship of Puri. Fifty-seven courts are functioning under it with outlying stations at Khurda, Khurda Road, Banapur, Tangi, Jatni, Chilika, and Begunia. The present District Court building at Bhubaneswar was inaugurated in 1980. The extended CBI court building and the Fast Track Court building were inaugurated in 2002 and 2003 respectively.

Khurda comes under the DCDH at Cuttack, which was inaugurated on 12th December 2022 in Virtual Mode by the Chief Justice of India.

The Virtual Centre of the High Court of Orissa at Bhubaneswar, Khurda was inaugurated on 3rd February 2023.

The Court of Ad-hoc Addl. Dist. & Sessions Judge, FTSC-II, Bhubaneswar was inaugurated in 2023.

Another new Court building at Tangi was inaugurated on 2nd September 2023. The Court of Civil Judge (Jr. Divn.)-cum-JMFC at Begunia was inaugurated on 4th November 2023.

New Court buildings and residential quarters are to be constructed in Begunia, Jatni, and Chilika for which the foundation stone has already been laid.

A paperless court complex at Bhubaneswar in the Judgeship of Khurda was inaugurated in 2023. Khurda became the second district of the State after Ganjam to have all its courts at its headquarters at Bhubaneswar paperless.

Shri Nisith Nisank was the District and Sessions Judge for the entire year of 2023.



From left to right of the top row- Foundation stone laying of court complex at Begunia and Chilika and Drawing Competition
From left to right of the bottom row- Court complex inauguration, Workplace stress management session and Foundation stone laying of Court Complex at Jatni

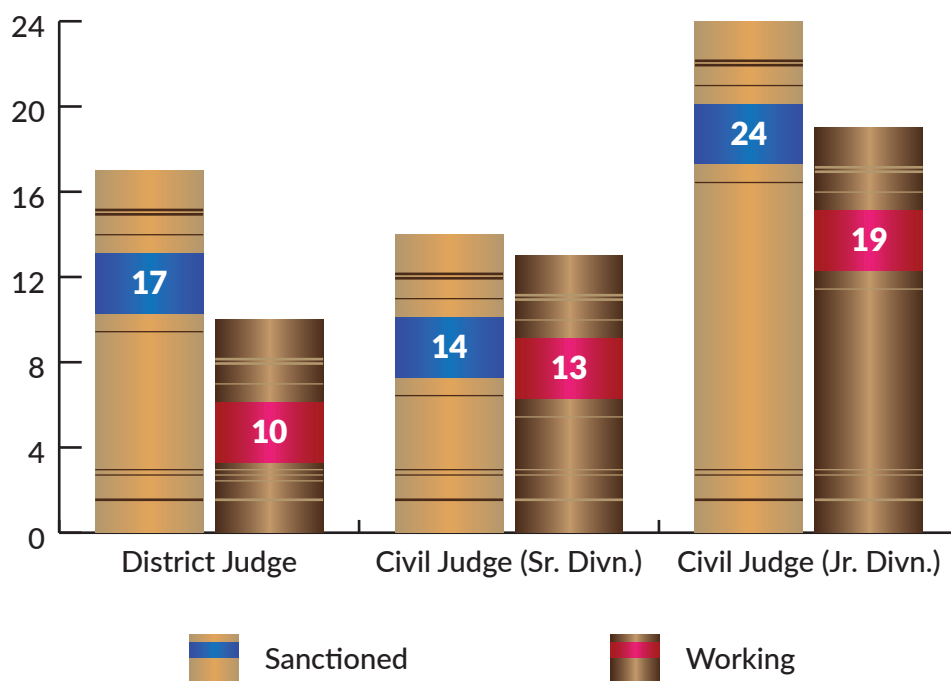
Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	3
Addl. District and Sessions Judge	4 (includes 1 Court of ADJ (LR & LTV))
Ad-hoc ADJ (FTSC)	2
Special Judge (Vigilance)	1
Addl. Special Judge (Vigilance)	2
Special Judge, Special Court	1
Authorized Officer, Special Court	1
CBI Court	4
P.O., Labour Court	1
P.O., Industrial Tribunal	1
P.O., Educational Tribunal	1
P.O., Co-operative Tribunal	1
Chairman, Arbitration Tribunal	1
Chief Judicial Magistrate	1
Addl. Chief Judicial Magistrate	1(Special Court under Delhi Special Police Establishment Act)
A.S.J.-cum-Registrar, Civil Courts	1



Name of the Court	No. of Courts
Civil Judge (Sr. Divn.)	6 (includes one Women's Court, 1 Court of Civil Judge (Sr. Divn.) (LR & LTV) and one Commercial Court)
Addl.Civil Judge (Sr. Divn.)	2
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Divn.)	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	4
Special Railway Magistrate	1
JMFC	11 (includes 2 Courts of JMFC (LR & LTV), 1 Court of JMFC (Outskirt) and 6 cognizance taking JMFC Courts)
Special Judicial Magistrate	1
Gram Nyayalaya	1

Number of judges in each court

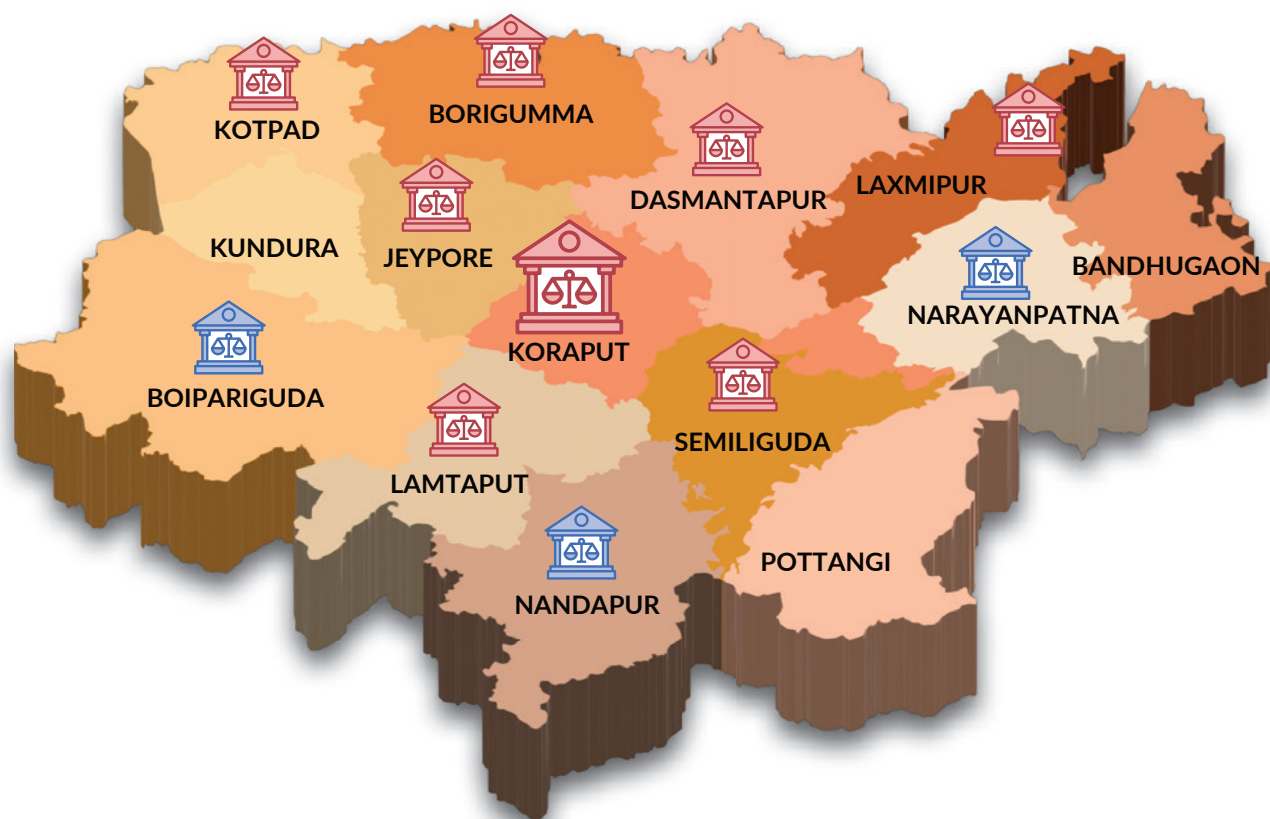


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	54,594	1,36,528	1,91,122	9,818	46,101	55,919	8,590	40,800	49,390	55,810	1,41,600	1,97,410
2023	55,810	1,41,600	1,97,410	9,259	40,610	49,869	12,265	36,536	48,801	52,804	1,45,674	1,98,478



District Judiciary Map Koraput



Existing Court Complex



Proposed Court Complex



District Court Building, Koraput at Jeypore

The new District Court building of the district Koraput-Jeypore was inaugurated on 10th September 2021. 31 different courts are functioning in the judgship with outlying stations at Koraput, Semiliguda, Lamtaput, Dasmantpur, Kotpad, Borigumma, and Laxmipur.

The District Court Digitization Hub (DCDH) was inaugurated on 12th December 2022 in Virtual Mode by the Chief Justice of India, and it serves as a hub for Nabarangpur.

The Regional Judicial Academy, Koraput at Jeypore was inaugurated and made functional w.e.f. 13.05.2023. Regular training is being imparted to the Judicial Officers and ministerial staff posted in the cluster districts of Koraput, Malkangiri, Nabarangpur, Kalahandi and Rayagada.

The Virtual Centre of the High Court of Orissa at Jeypore, Koraput, was inaugurated on 3rd February 2023.

New Court Buildings of J.M.F.C, Laxmipur, J.M.F.C., Narayanpatna, and J.M.F.C., Borigumma are being constructed.

The Court of District and Sessions Judge was inaugurated as a Paperless Court in 2023. In total, 7 different Courts in the Judgship were inaugurated as Paperless Courts in the year 2023.

Creche facility, First Aid Care Centre, and Lactation Room were set up in the new District Court Complex at Jeypore.

Shri Satya Narayan Mishra was the District and Sessions Judge throughout the year.



Top row- Mediation training workshop

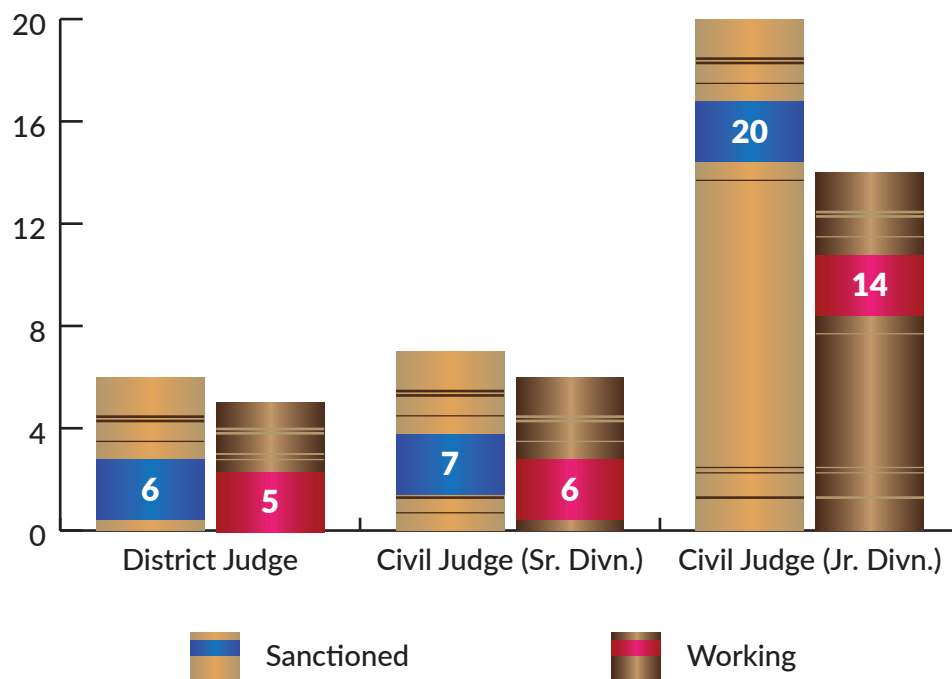
Bottom row- Inauguration of Regional Judicial Academy

Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District and Sessions Judge	2
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Special Judge (Vigilance)	1
P.O., Labour Court	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	3 (includes one Women's Court)
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Divn.)	1
Civil Judge (Jr. Divn.)-cum J.M.F.C.	4
J.M.F.C.	9 (includes 1 Court of J.M.F.C. (LR & LTV))
Special Judicial Magistrate	1
Gram Nyayadhikari	1



Number of judges in each court

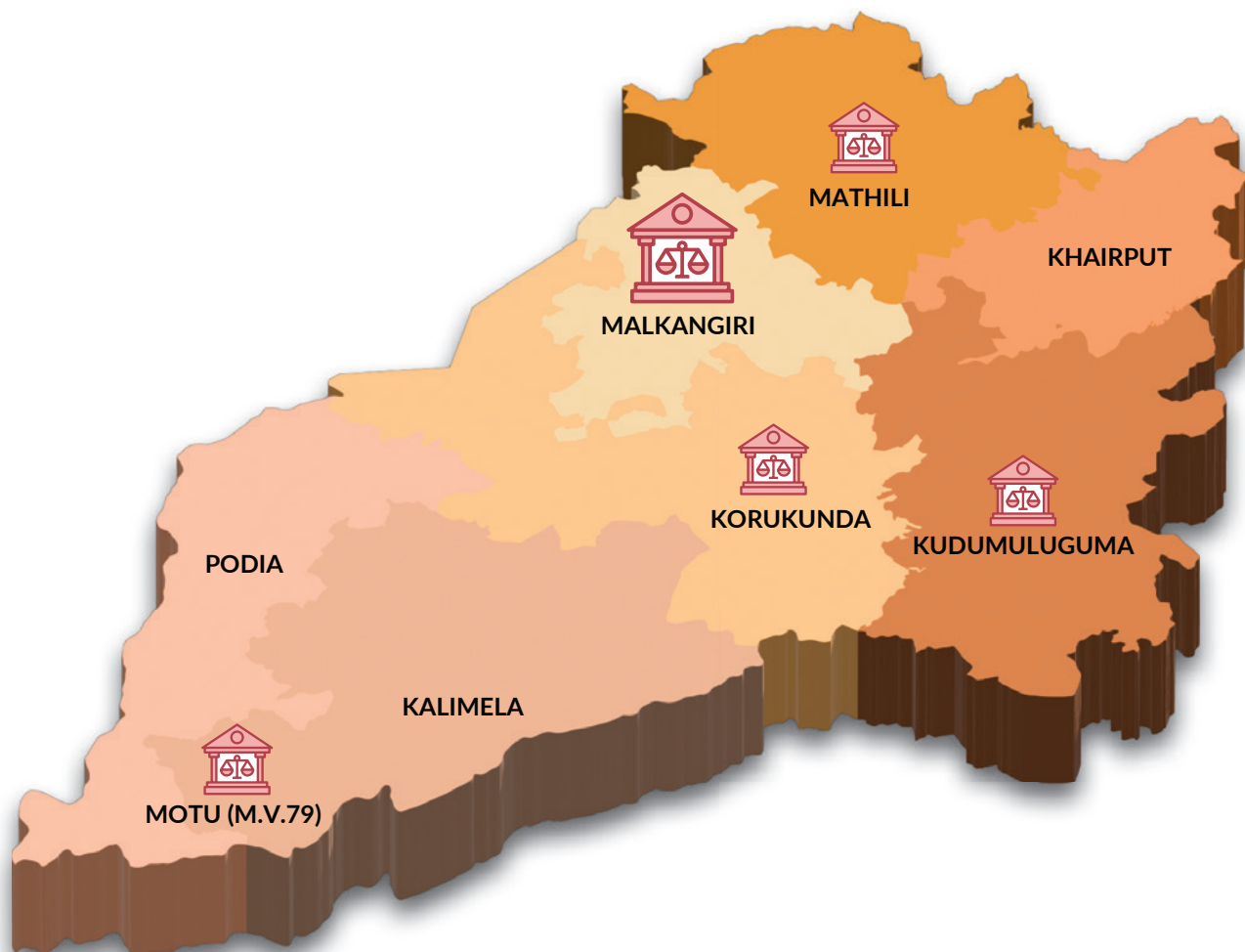


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	3,899	35,437	39,336	990	9,430	10,420	1,155	10,826	11,981	3,734	34,041	37,775
2023	3,734	34,041	37,775	1,119	8,613	9,732	951	7,463	8,414	3,902	35,191	39,093



District Judiciary Map Malkangiri



Existing Court Complex



Proposed Court Complex



District Court Building, Malkangiri

Malkangiri was carved out of Koraput district on 2nd October 1992. The judgeship started functioning independently from 20th April 2013, with one outlying station at Motu (MV - 79), Mathili, and Kudumulguma. 14 different Courts are functioning in the Judgeship with outlying stations at Motu, Mathili, Kudumulguma, and Korukunda at Malkangiri. The new District Court building was inaugurated on 10th September 2021.

Gram Nyayalaya, Korukunda at Malkangiri was established and inaugurated by the Hon'ble Chief Justice through Video Conferencing on 02.02.2023.

The Court of the Civil Judge (Sr. Divn.) (Women's Court), Malkangiri was inaugurated by the Hon'ble Chief Justice through Video Conferencing on 20.05.2023.

The Court of the Addl. District & Sessions Judge, Malkangiri, the C.J.M., Malkangiri, the Civil Judge (Sr. Divn.) (Women's Court), Malkangiri, the Civil Judge (Sr. Divn.), Malkangiri, the S.D.J.M., Malkangiri, and the Gram Nyayalaya, Korukunda at Malkangiri were declared as paperless Courts in 2023.

The Virtual Centre of the High Court of Orissa at Malkangiri was inaugurated on 19th October 2023.



From left to right of the top row- Observance of Van Mahotsava week and Drawing Competition
From left to right of the bottom row- Yoga and meditation session and District Level Legal Literacy Festival

Till the end of 2023, 38,641 Case records comprising of 36,12,947 pages were digitized at D.C.D.H,Malkangiri.

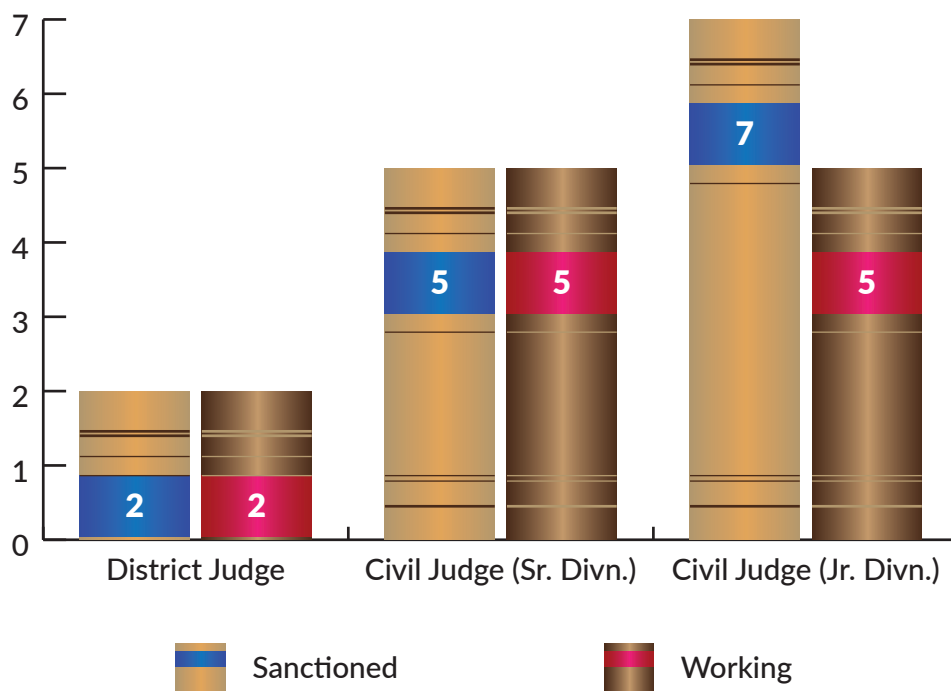
Smt. Ajanta Sadangi was the District and Sessions Judge till 26th December 2023.

Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Addl. District and Sessions Judge	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	2 (includes 1 Women's Court)
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
JMFC	2 (includes 1 Court of J.M.F.C. (LR & LTV))
Special judicial Magistrate	1
Gram Nyayalaya	1



Number of judges in each court

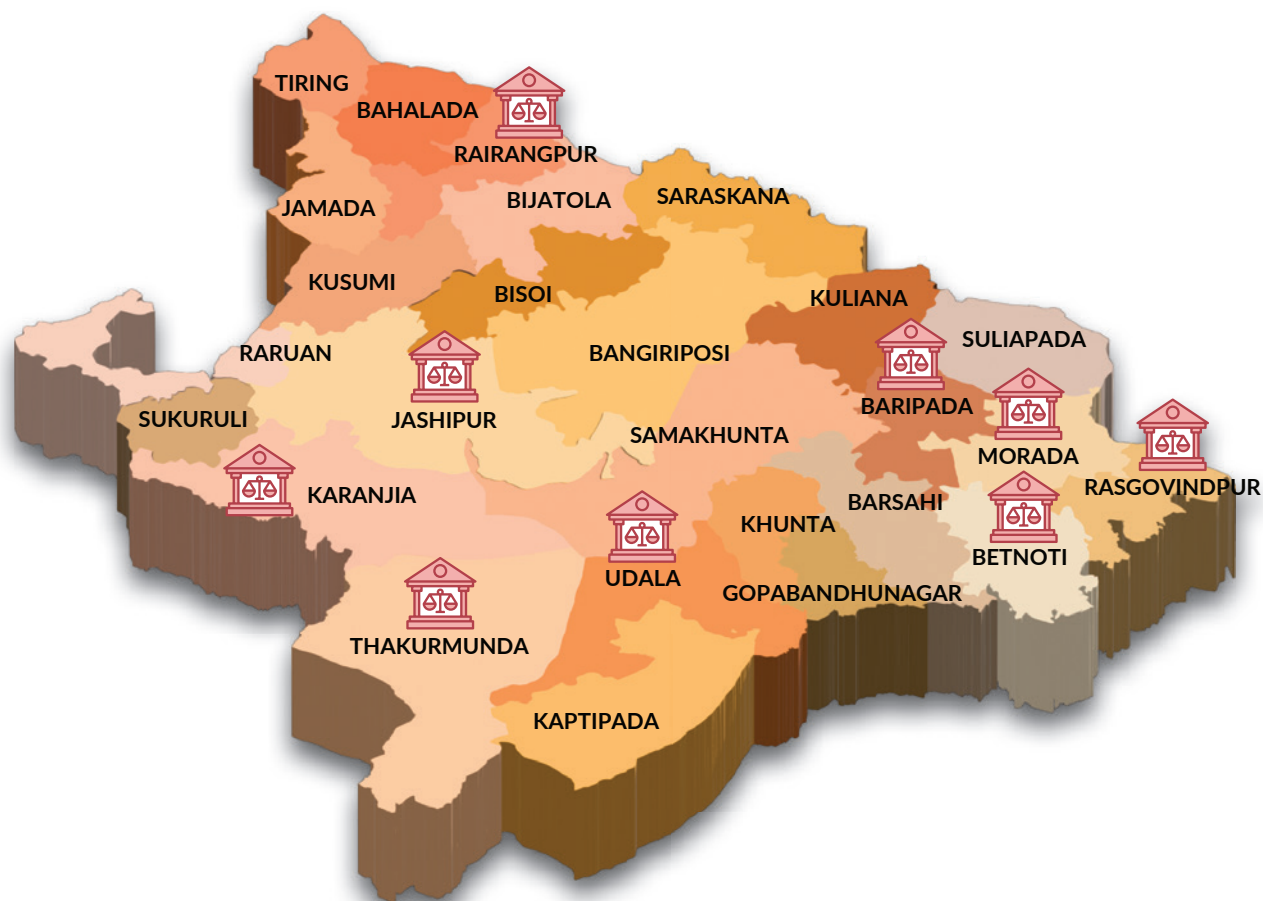


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	376	10,677	11,053	292	7,126	7,418	246	7,852	8,098	422	9,951	10,373
2023	422	9,951	10,373	235	3,414	3,649	259	3,096	3,355	398	10,269	10,667



District Judiciary Map Mayurbhanj



Existing Court Complex



Proposed Court Complex



District Court Building, Mayurbhanj at Baripada

The erstwhile Princely State of Mayurbhanj was merged in the state of Odisha on 1st January, 1949 and the Court of the District & Sessions Judge, Mayurbhanj was established simultaneously.

The District Court is functioning in a two-storied heritage building on an area of 9072 sq.ft. There are 16 court rooms, five of which are functioning in the heritage building and the rest are functioning adjacent to the said building in the premises of Civil Court. 36 different Courts are functioning in the Judgeship with outlying stations at Rairangpur, Udala, Karanjia, Betnoti, Morada, Thakurmunda, Rasgovindpur and Jashipur. Foundation stone of the new

District Court Complex was laid at Baripada on 8th July, 2023.

The Court of District and Sessions Judge, Mayurbhanj, Baripada and the Court of Addl. District and Sessions Judge-cum-Special Judge (Vigilance), Baripada were inaugurated as paperless courts in 2023.

The Virtual Centre of the High Court of Orissa at Baripada, Mayurbhanj was inaugurated on 27th March, 2023.

Till the end of 2023, 1,10,923 Case records comprising 1,27,78,499 pages were digitised.

Shri Aurobindo Pattnaik was the District and Sessions Judge throughout the year.



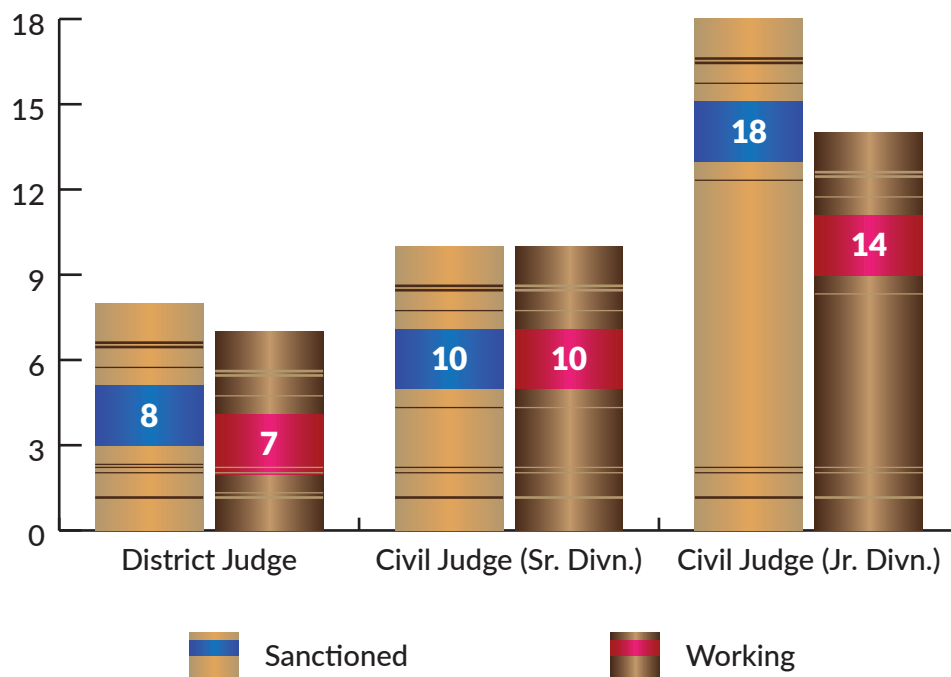
Top row-Drawing competition and prize distribution ceremony
From left to right of Middle row- Inauguration of paperless court and observance of swachhta abhiyaan
Bottom row- Foundation stone laying of District Court Complex

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge Family Court	1
Addl. District and Sessions Judge	4
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Special Judge (Vigilance)	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	5 (includes 1 Court of Civil Judge (Sr. Divn.) (LR & LTV))
Addl. Civil Judge (Sr. Divn.)	2
Sub-Divisional Judicial Magistrate	4
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	5
JMFC	9 (includes 1 Court of J.M.F.C. (LR & LTV), 1 Cognizance Taking Court of JMFC)



Number of judges in each court

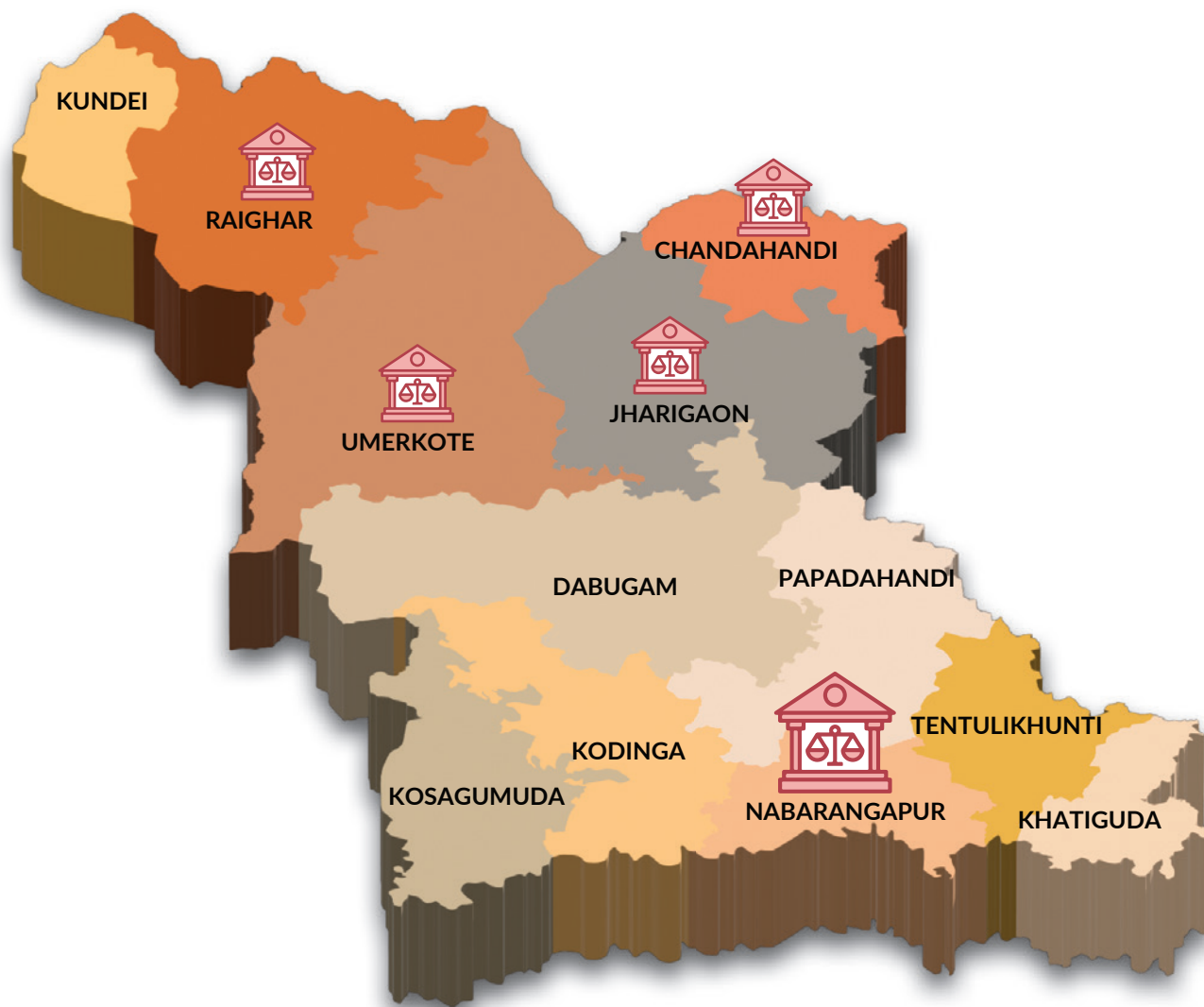


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	13,062	56,130	69,192	3,330	15,113	18,443	3,902	15,959	19,861	12,490	55,284	67,774
2023	12,490	55,284	67,774	3,662	16,793	20,455	3,650	11,681	15,331	12,502	60,396	72,898



District Judiciary Map Nabarangpur



Existing Court Complex



Proposed Court Complex



District Court Building, Nabarangpur

The Court of District & Sessions Judge, Nabarangpur started functioning with effect from 22nd October 2011 after being separated from its parent Judgeship of Koraput.

The building has 11 court rooms including Children's Court, Judges' library, Bar hall, VC cabin and lift. It has also modern amenities like kiosks to ascertain the case status and display boards. 19 different Courts are functioning in the Judgeship with outlying stations at Umerkote, Raighar, Chandahandi and Jharigaon.

Nabarangpur comes under the DCDH at Koraput which was inaugurated on 12th

December, 2022 in Virtual Mode by the Chief Justice of India.

Public Prosecutor Building and site development work at District Court building, construction of vehicle sheds, Canteen, Waiting Shed etc. were constructed.

The Virtual Centre of the High Court of Orissa at Nabarangpur was inaugurated on 19th October, 2023.

In the year 2023, 3 different courts of the judgeship were made paperless.

Throughout the year, Shri Sanjib Dubey was the District and Session Judge.



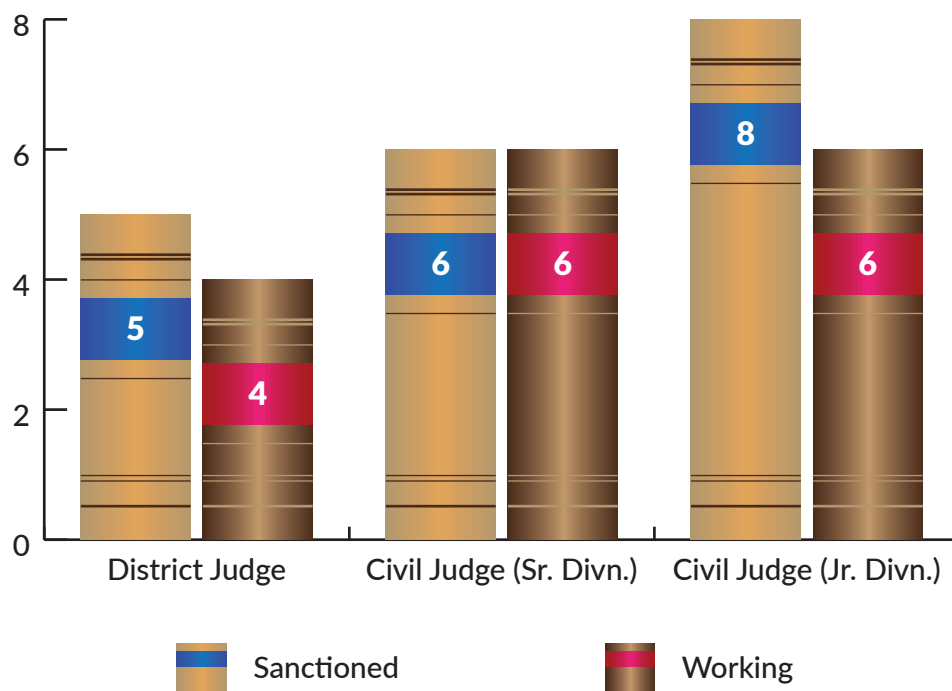
Inauguration of Virtual Centre of the High Court

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	2
Special Court under POCSO Act	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	3 (includes one Women's Court)
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	2
JMFC	4 (includes 1 Court of JMFC(LR & LTV))
Special Judicial Magistrate	1
Gram Nyayadhikari	1



Number of judges in each court

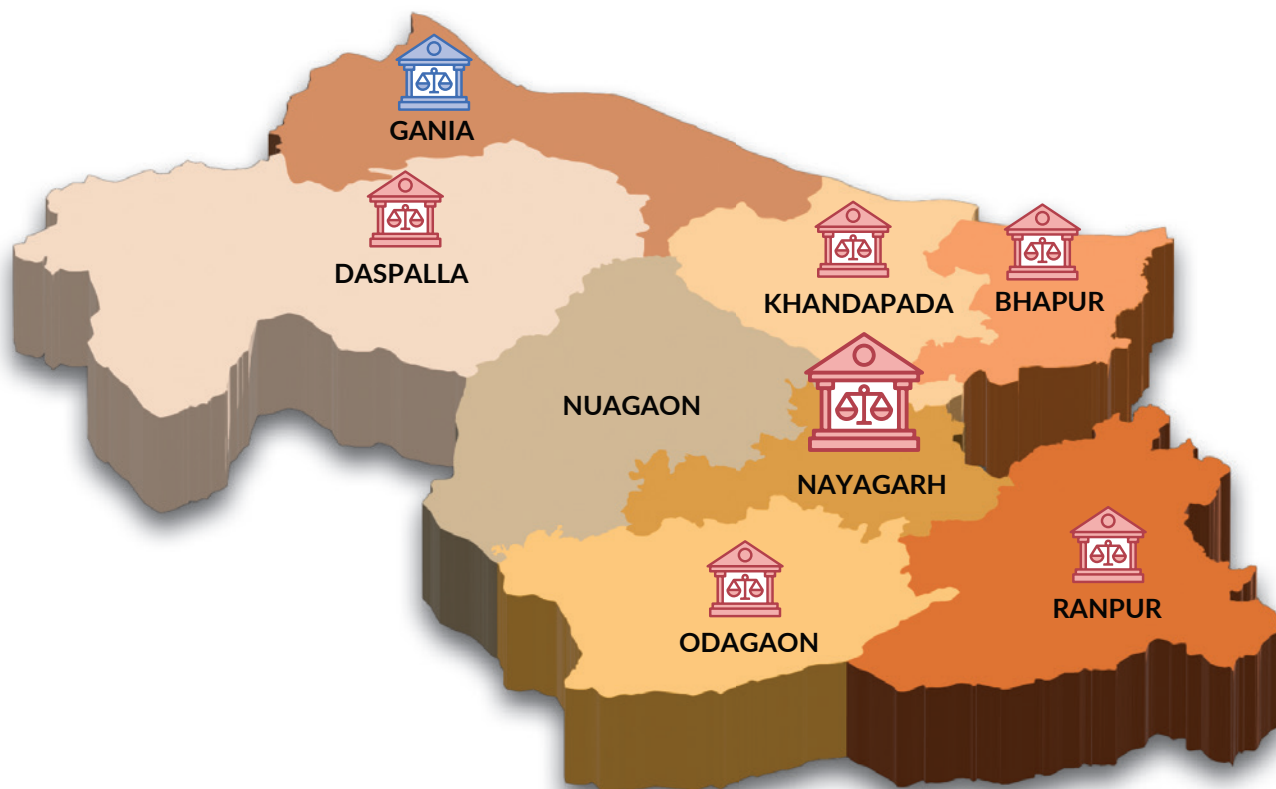


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	1,172	28,030	29,202	387	3,914	4,301	469	7,097	7,566	1,090	24,847	25,937
2023	1,090	24,847	25,937	422	4,904	5,326	517	4,262	4,779	995	25,489	26,484



District Judiciary Map Nayagarh



Existing Court Complex



Proposed Court Complex



District Court Building, Nayagarh

On 8th July 2011, the Judgeship of Nayagarh was carved out of Puri Judgeship as an independent Judgeship. The District Court started functioning in the new building from 22nd April 2018 onwards. It was constructed by the R&B at an estimated cost of 23 crores. 24 different Courts are functioning in the Judgeship with outlying stations at Daspalla, Khandapada, Ranpur, Odagaon, and Bhapur.

The District Court Digitization Hub (DCDH) was inaugurated on 12th December 2022 in Virtual Mode by the Chief Justice of India, and it serves as a hub for Kandhamal. The Court of A.D.J., Odagaon, and NSTEP (National Services and Tracking of Electronic Processes) platform were inaugurated.

The Courts of A.D.J.-cum-Special Court under POCSO Act, Nayagarh, Civil Judge (Sr. Divn.) (LR

& LTV), Nayagarh, Asst. Sessions Judge (Women's Court), Nayagarh, and J.M.F.C, Nayagarh were inaugurated as paperless Courts in the year 2023.

The foundation stone for the construction of the New Civil Court Complex at Khandapara, Bar Association Hall-cum-Canteen, Transit House, and residential quarters for Judicial Officers were laid .

The Virtual Centre of the High Court of Orissa at Nayagarh was inaugurated on 27th March 2023.

Till the end of the year 2023, 85,788 Case records comprising 67,34,781 pages were digitized.

Smt. Rupashree Choudhury was the District and Sessions Judge till 13th May 2023. Sri Anand Narayan Maharana continued thereafter from 16th May 2023 till end of the year.



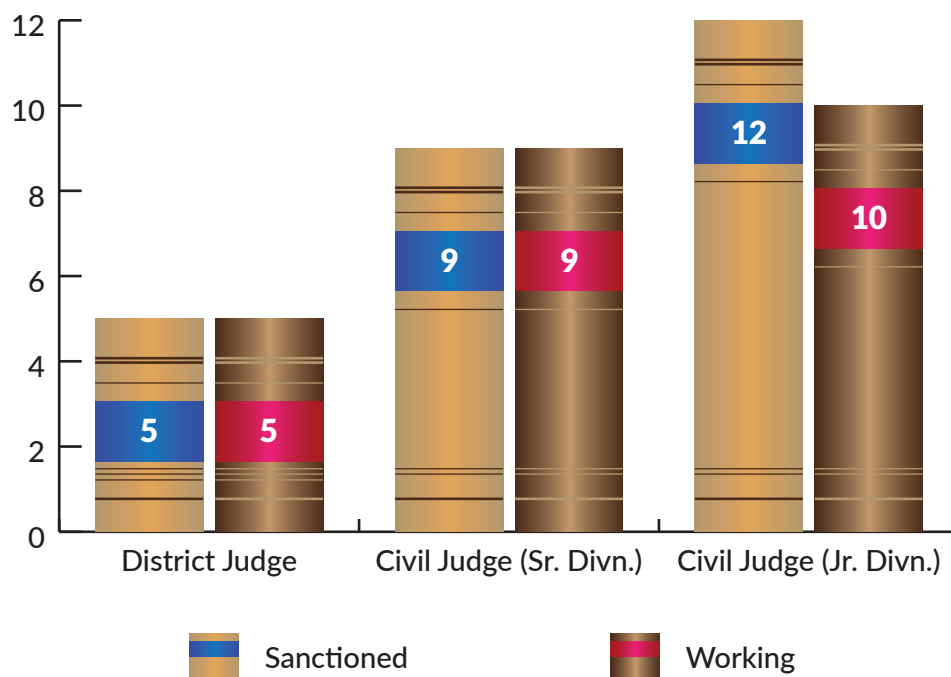
From left to right of Top row- Foundation stone laying of Transit House and Drawing competition
From left to right of Middle row- Inauguration of court complex and paperless court
Bottom row- Observance of constitution day

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	2
Special Court under POCSO Act	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	6 (includes one Women's Court and one Court of Civil Judge (Sr. Divn.)(LR & LTV))
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	4
JMFC	5 (includes 1 Court of JMFC (LR & LTV))
Gram Nyayalaya	1



Number of iudges in each court

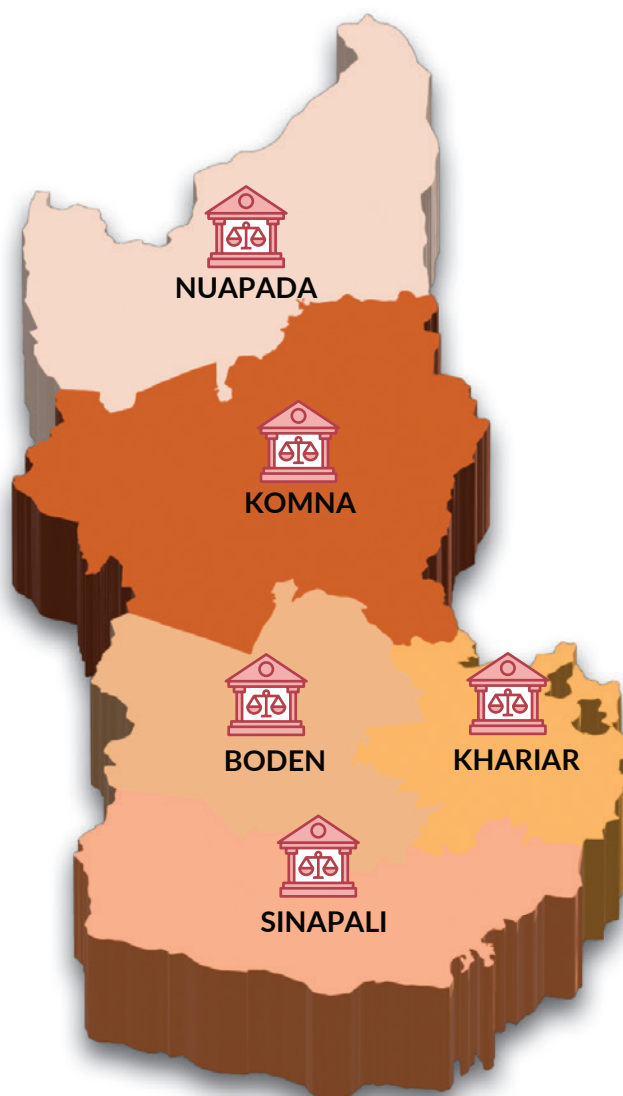


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	4,922	28,147	33,069	1,795	6,897	8,692	2,023	10,359	12,382	4,694	24,685	29,379
2023	4,694	24,685	29,379	2,356	6,768	9,124	2,280	5,789	8,069	4,770	25,664	30,434



District Judiciary Map Nuapada



Existing Court Complex



Proposed Court Complex



District Court Building, Nuapada

The Nuapada judgeship was inaugurated on 7th July 2012 after being bifurcated from the Kalahandi judgeship. The combined judgeship of Kalahandi-Nuapada-Bolangir started functioning with effect from 17th June 1948 with its headquarters at Bolangir. The Judgeship of Kalahandi-Nuapada was separated with effect from 28th February 1982 from the Bolangir judgeship. After the creation of Nuapada as a separate district, the Kalahandi-Nuapada Judgeship continued until 6th July 2012, when the Judgeship of Nuapada was separated on 7th July 2012 from the Kalahandi-Nuapada Judgeship. Presently, the judgeship is functioning with 14 different Courts with outlying stations at Khariar, Sinapali, Boden, and Komna.

Nuapada comes under the DCDH, Kalahandi, which was inaugurated on 12th December 2022 in Virtual Mode by the Chief Justice of India.

“B” type quarters for the District and Sessions Judge was constructed.

The Court of Additional District & Sessions Judge, Nuapada, the Courts of Chief Judicial Magistrate, and Civil Judge (Sr. Divn.) (Women’s Court) became paperless in the year 2023. The Virtual Centre of the High Court of Orissa at Nuapada was inaugurated on 19th October 2023.

Shri Sangram Keshari Pattanaik was the District and Sessions Judge till 27th September 2023, and Sri Anand Narayan Maharana continued thereafter from 3rd October 2023 till the end of the year.



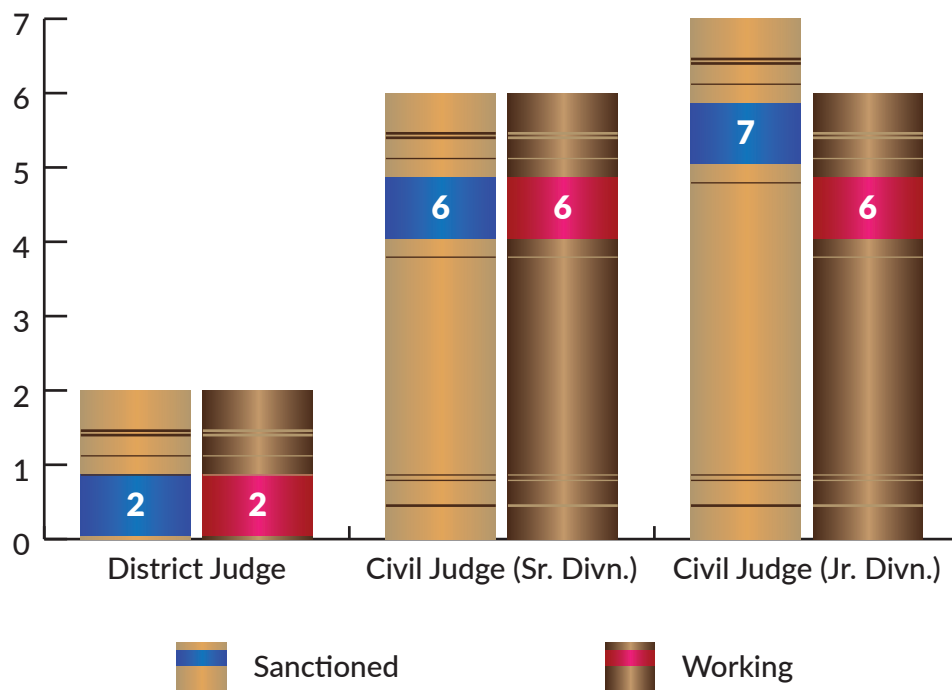
Inauguration of Virtual Centre of the High Court

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Addl. District & Sessions Judge	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	3 (includes one Women's Court)
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	2
Addl. Civil Judge (Jr. Divn.)-cum-J.M.F.C.	1
JMFC	2 (includes one JMFC (LR & LTV))
Gram Nyayalaya	1



Number of iudges in each court

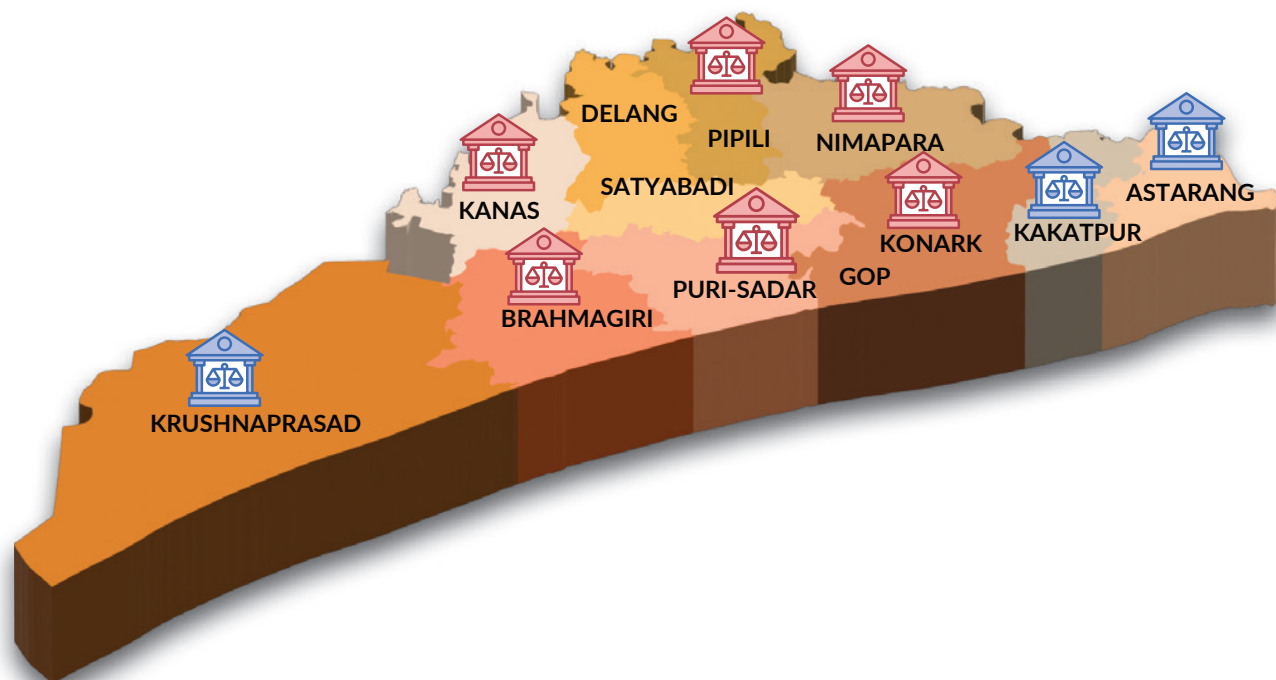


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	2,791	15,976	18,767	803	5,174	5,977	832	4,224	5,056	2,762	16,926	19,688
2023	2,762	16,926	19,688	715	4,784	5,499	977	4,438	5,415	2,500	17,272	19,772



District Judiciary Map Puri



Existing Court Complex



Proposed Court Complex



District Court Building, Puri

The Judgeship of Puri started functioning from 15th July 1957 with its headquarters at Puri. The District Court building was established on 25th April 1971. Spread over an area of 1,17,186 sq. ft., this building has 19 Courtrooms. 35 different courts are functioning in the Judgeship with outlying stations at Nimapada, Pipili, Brahmagiri, Kanas, and Konark.

The Virtual Centre of the High Court of Orissa at Puri was inaugurated on 03rd February 2023.

Puri comes under the DCDH at Cuttack, which was inaugurated on 12th December 2022 in virtual mode by the Chief Justice of India.

The Court of 2nd Addl. Civil Judge (Sr. Divn.), Puri,

and Additional District Judge-cum-Fast Track Special Court (FTSC), Puri were inaugurated in the year 2023.

The new Vulnerable Witness Deposition Centre and Virtual Court Room were inaugurated on 04th February 2023. The Court of ASJ-cum-Special Track Court, Puri, the Court of Chief Judicial Magistrate, Puri, and the Court of Addl. Civil Judge (Sr. Divn.), Puri, were inaugurated as Paperless Courts in 2023.

The construction work of the new Court of Civil Judge (Sr. Divn.), Pipili was completed.

Shri Sitikantha Samal was the District and Sessions Judge till 26th December 2023.



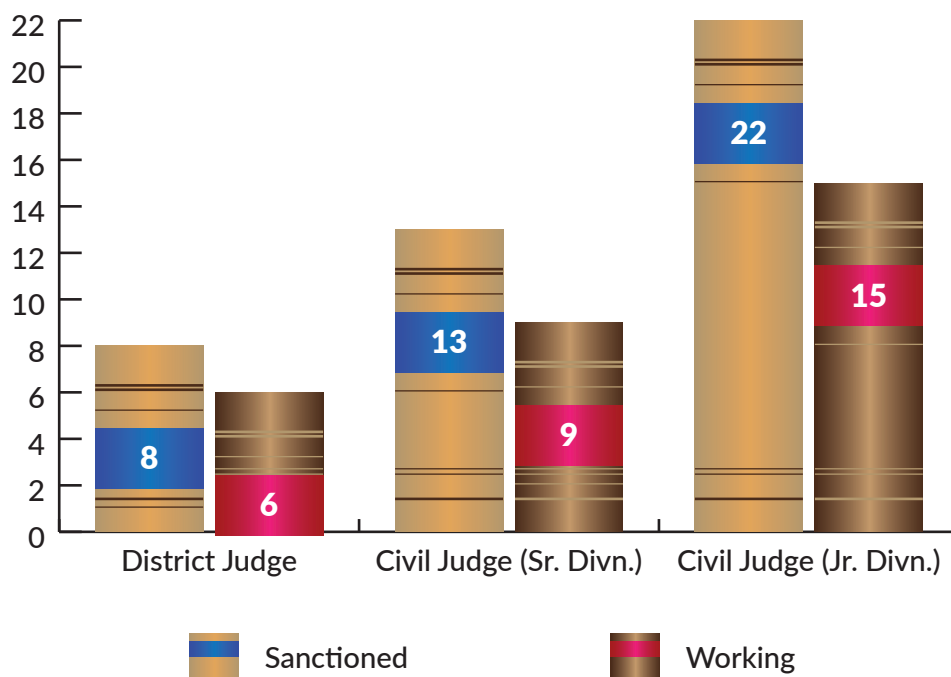
From left to right of Top row-Drawing competition and inauguration of Fast Track special court
From left to right of Bottom row- Foundation stone laying of Gram Nyayalaya complex and Virtual Centre of the High Court building

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	4
Ad-hoc ADJ (FTSC)	1
Special Court under POCSO Act	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	3
Addl.Civil Judge (Sr. Divn.)	2
Sub-Divisional Judicial Magistrate	1
Civil Judge (Jr. Divn.)	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	4
JMFC	10 (Includes 2 Cognizance taking Courts & 2 Courts of LR & LTV)
Special Judicial Magistrate	1
Gram Nyayalaya	2



Number of judges in each court

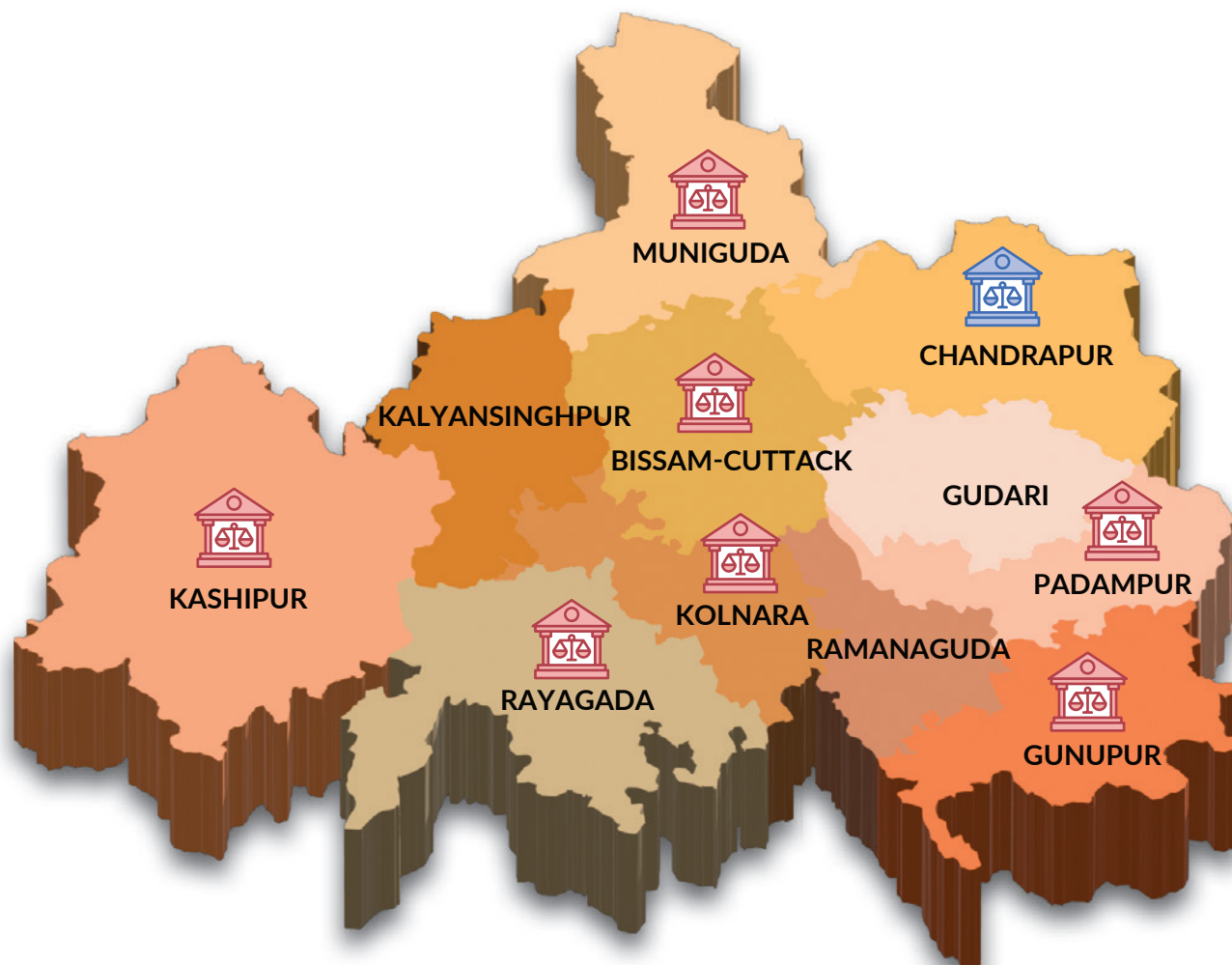


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	25,269	61,605	86,874	4,279	14,451	18,730	5,439	13,904	19,343	24,109	6,2152	86,261
2023	24,109	62,152	86,261	4,550	11,341	15891	6,804	11,582	18,386	21,855	61,911	83,766



District Judiciary Map Rayagada



Existing Court Complex



Proposed Court Complex



District Court Building, Rayagada

The Rayagada Judgeship was separated from the parent Judgeship of Koraput and began functioning independently from 7th July 2012. 22 different courts are currently functioning in the judgeship with outlying stations at Kashipur, Bissam Cuttack, Gunupur, Muniguda, and Padampur. The District Court is functioning in the existing Civil Courts premises at Rayagada, spread over an area of 172,149 sq. ft. Twelve other courts are functioning in the campus. In addition, the Bar Room, Permanent Lok-Adalat, and D.L.S.A. are also functioning in the Civil Courts premises. The courts of the S.D.J.M. and the Civil Judge (Sr. Divn.) are functioning in the heritage building on the premises.

Rayagada comes under the DCDH of Koraput at Jeypore, which was inaugurated on 12th December 2022 in virtual mode by the Chief Justice of India.

The Virtual Centre of the High Court of Orissa at Rayagada was inaugurated on 19th October 2023.

A new District Court Building is under construction and is expected to be completed by the end of 2024.

Additionally, foundation stones for the proposed new civil court complexes at Bissamcutack and Kolnara were laid by Dr. Justice B.R. Sarangi, the then Acting Chief Justice on 23rd December 2023.

New courts of Civil Judge (Jr. Divn.)-cum-J.M.F.C. at Padampur and Muniguda were inaugurated in 2023.

The court of District and Sessions judge, the Court of Chief Judicial Magistrate, Rayagada, the court of Civil Judge (Sr. Divn.)-cum-Assistant



From left to right of the top row-Inauguration of paperless court and court complex at Muniguda
Bottom row- Inauguration of court complex at Padampur

Sessions Judge(Women's Court), Rayagada, the Court of Nyayadhikari Gram Nyayalaya Kolnara at Rayagada, and the court of the Civil Judge (Sr. Divn.), Rayagada were inaugurated as paperless courts in 2023.

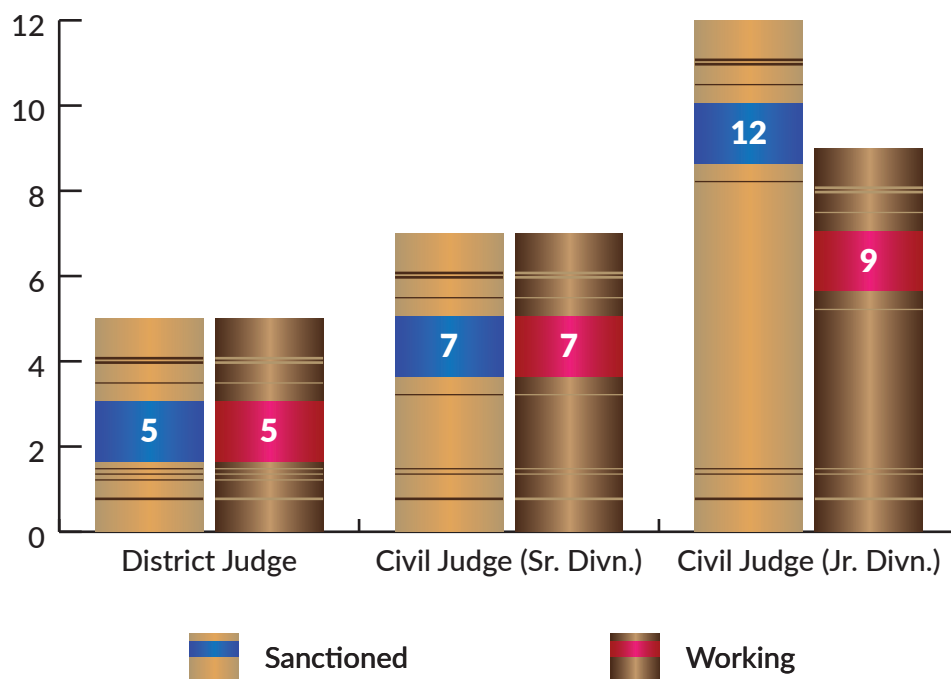
Shri Bikram Keshari Pattanayak was the District and Sessions Judge till 13th May 2023. Shri Satya Narayan Sarangi continued thereafter from 17th May 2023 till the end of the year.

Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	2
Special Court under POCSO Act	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	4 (includes 1 Women's Court)
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
JMFC	5 (includes 1 Court of LR & LTV)
Gram Nyayadhikari	1



Number of judges in each court

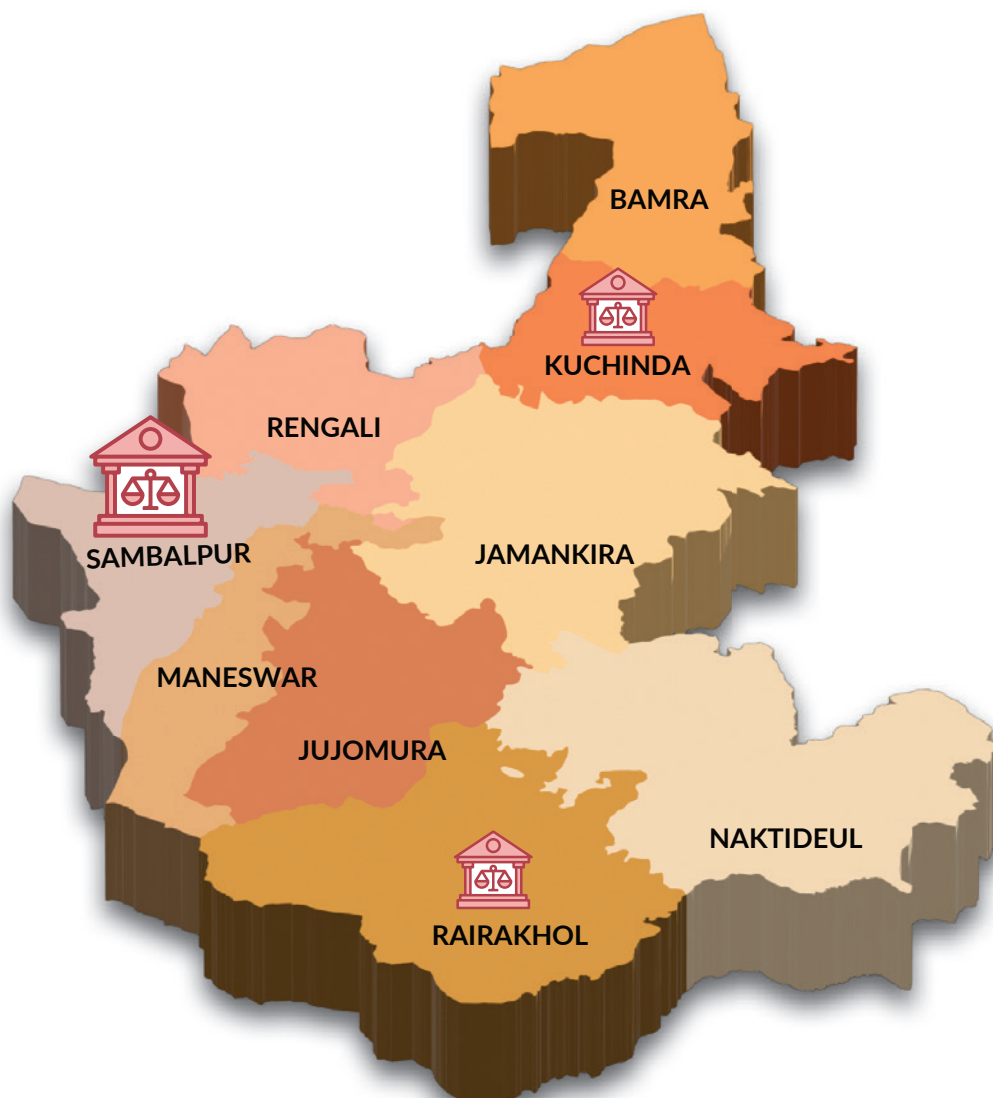


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	1,793	17,907	19,700	747	5,336	6,083	802	4,231	5,033	1,738	19,012	20,750
2023	1,738	19,012	20,750	855	5,478	6,333	821	7,421	8,242	1,772	17,069	18,841



District Judiciary Map Sambalpur



Existing Court Complex



Proposed Court Complex



District Court Building, Sambalpur

After creation of the separate State of Odisha in 1936, a new Judgeship named Cuttack-Sambalpur came into being with its headquarters at Cuttack under the jurisdiction of the Patna High Court. The Sambalpur District was subsequently divided into four separate Districts. Bargarh District was separated in 1993, and Jharsuguda and Deogarh districts were separated in 1994. Initially, the Courts of Sambalpur were functioning in the old Court building constructed prior to 1947. A new Court building was constructed in 1951, which has two floors and houses 13 Courtrooms. Thirty-eight different courts are functioning in the judgeship with outlying stations at Kuchinda and Rairakhol.

The District Court Digitization Hub (DCDH) was inaugurated on 12th December 2022 in virtual mode by the Chief Justice of India, and

it serves as a hub for Bargarh and Deogarh. So far, till the end of 2023, 1,19,766 case records comprising 1,40,67,354 pages were digitized. The Regional Judicial Academy, Sambalpur was inaugurated and made functional w.e.f. 13.05.2023. Regular training is being imparted to the Judicial Officers and ministerial staff posted in the cluster districts of Sambalpur, Bargarh, Sonapur, Bolangir, Boudh, Jharsuguda, Sundargarh and Nuapada.

The Virtual Centre of the High Court of Orissa at Sambalpur was inaugurated on 03rd February 2023. 15 different courts in the judgeship were inaugurated as paperless courts in 2023.

Shri Manas Ranjan Barik was the District and Sessions Judge till 30th September 2023. Shri Pradyumna Kumar Nayak continued thereafter from 3rd October 2023 till the end of the year.



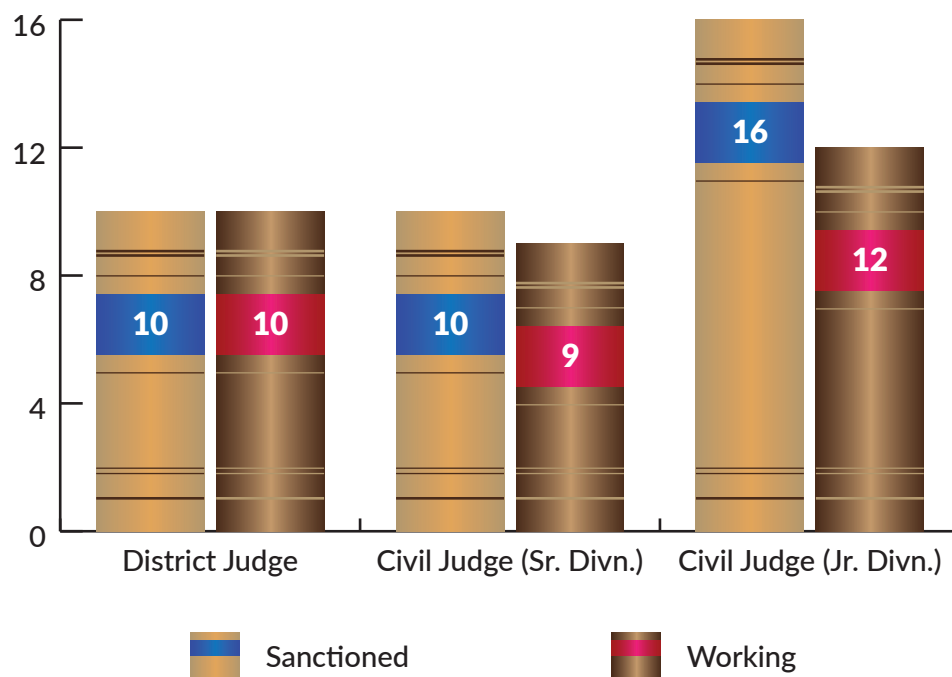
From left to right of the top row- International Yoga Day celebration and inauguration of Paperless court
From left to right of bottom row- opening day and inauguration of Regional Judicial Academy

Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	5 (includes 1 LR & LTV)
Special Court under POCSO Act	1
Ad-hoc ADJ (FTSC)	1
Special Judge (Vigilance)	1
Designated Court under the OPID Act	1
2 nd MACT (N.D.)	1
LAR & R Authority	1
P.O., Labour Court	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	5 (includes 1 Commercial Court & 1 Court of LR & LTV)
Addl.Civil Judge (Sr. Divn.)	1
Sub-Divisional Judicial Magistrate	3
Civil Judge (Jr. Divn.)	1
JMFC	12 (includes 1 Court of LR & LTV, 1 JMFC (T) and 2 Cognizance Taking Courts)



Number of judges in each court

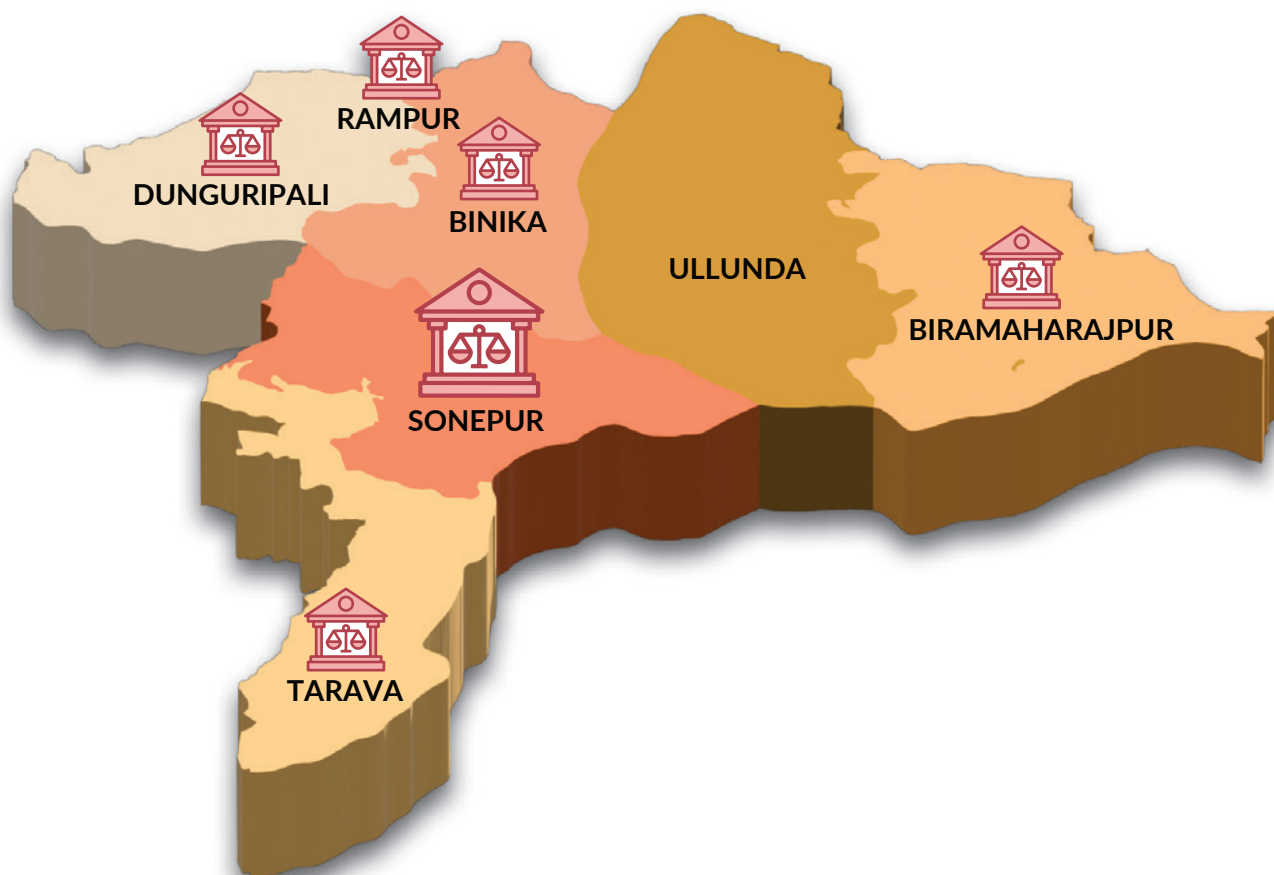


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	8,437	74,943	83,380	1,890	17,534	19,424	3,094	20,496	23,590	7,233	71,981	79,214
2023	7,233	71,981	79,214	1,828	26,768	28,596	2,837	19,722	22,559	6,224	79,027	85,251



District Judiciary Map Sonepur



Existing Court Complex



Proposed Court Complex



District Court Building, Sonepur

The Sonepur Judgeship was established being separated from the Bolangir-Sonepur Judgeship on 23rd June 2012, comprising the Sonepur Revenue District. The new District Court building was inaugurated on 9th October 2021 on an area of Ac. 2.173 dec. The building has a basement and four floors with a total area of 1,09,644 sq.ft. It was constructed by the R & B at an estimated cost of Rs.24.90 crores. The building has 15 Courtrooms including a Children's Court complex and a vulnerable Courtroom. It has also an e-filing counter, e-Sewa Kendra and Help Desk, conference room, V.C. cabin for advocates, remote V.C. point, crèche, lactation room, and a Bar hall. Additionally, facilities of canteen, post office, ATM counter, and separate C.S.I. office are available. An Amenity Centre and sub-post office were inaugurated on 14th April 2023. 16

different courts are functioning in the Judgeship with outlying stations at Biramaharajpur, Rampur, Binika, Tarava, and Dunguripali.

The District Court Digitization Hub (DCDH) was inaugurated on 12th December 2022 in virtual mode by the Chief Justice of India, and it serves as a hub for Bolangir and Boudh. At the end of 2023, 59,617 case records comprising 70,85,720 pages were digitized.

The Virtual Centre of the High Court of Orissa at Sonepur was inaugurated on 19th October 2023.

A total of 4 different Courts including the Court of Additional District and Sessions Judge became paperless in the year, 2023.

Shri Rashmi Mohan Acharya was the District and Sessions Judge for the entire year of 2023.



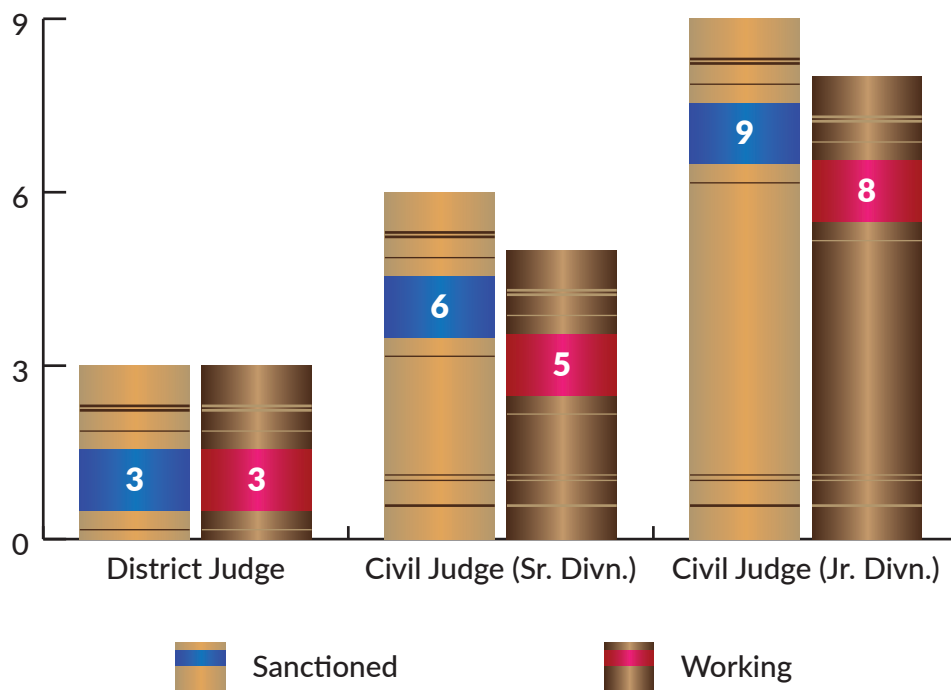
From left to right of Top row-Inauguration of Amenity Centre and Drawing competition
From left to right of Middle row- Health Camp and observance of Van Mahotsava Week
Bottom row- Observance of Yoga day

Apart from the District and Sessions Judge, the judgship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	1
Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	2
Sub-Divisional Judicial Magistrate	2
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	3
JMFC	3 (includes 1 Court of LR & LTV)
Gram Nyayalaya	1



Number of judges in each court

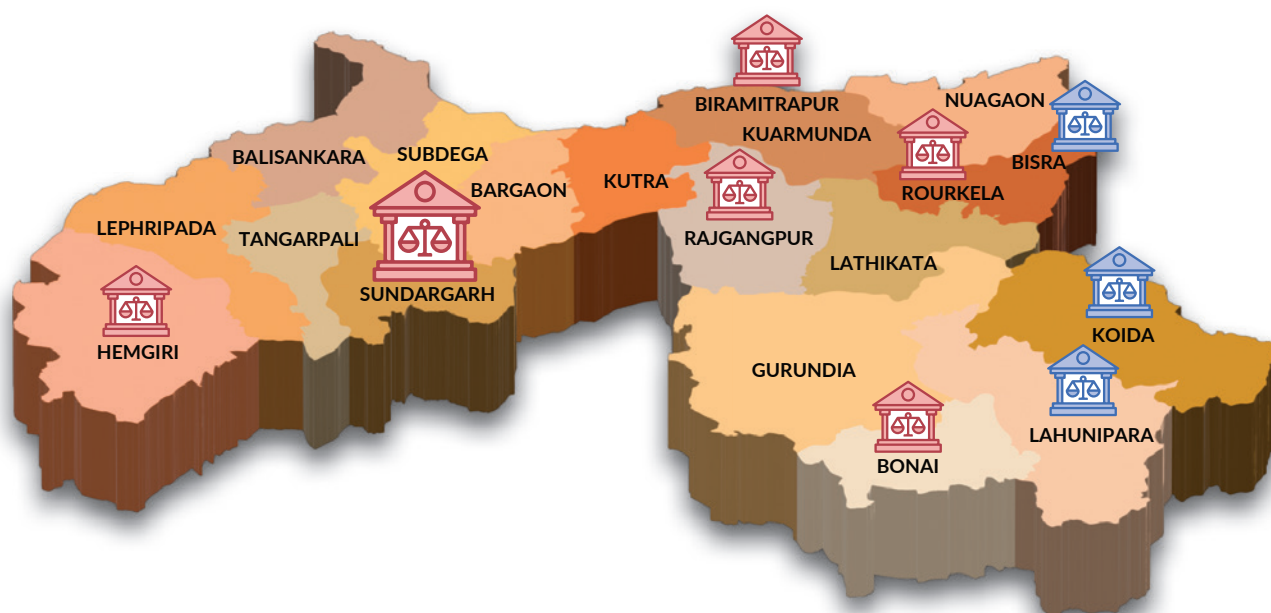


Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	3,490	16,186	19,676	425	5,769	6,194	467	2,882	3,349	3,023	22,185	25,208
2023	3,023	22,185	25,208	555	8,502	9,057	810	5,966	6,776	2,768	24,721	27,489



District Judiciary Map Sundargarh



Existing Court Complex



Proposed Court Complex



District Court Building, Sundargarh

Sundargarh District was created out of the two former Princely states of Gangpur and Bonai, which integrated with Odisha on 1st January 1948. After 1st April 1978, Sundargarh Judgeship was separated from Sambalpur Judgeship, and from then onwards the District Court started functioning. 38 different courts are functioning in the judgeship with outlying stations at Bonai, Rajgangpur, Hemgiri, Biramitrapur, and Rourkela. The District Court is functioning in its old building from 1st April 1985. It is a two-storied building with a ground floor of 15,260 sq.ft. and the first floor is about 11,772 sq.ft. It has 9 Courtrooms, offices of different Courts, a Video Conferencing Room, e-Sewa Kendra, and V.C. cabin.

Sundargarh comes under the DCDH at Jharsuguda, which was inaugurated on 12th December 2022 in virtual mode by the Chief Justice of India.

The Virtual Centre of the High Court of Orissa at Sundargarh and Rourkela were inaugurated

on 27th March 2023 and 03rd February 2023, respectively.

The Court of Civil Judge (Sr. Divn.) -cum- Asst. Sessions Judge (Women's Court), Sundargarh, started functioning from 20th May 2023 after inauguration.

The Courts of Chief Judicial Magistrate, Sundargarh, Principal Magistrate, Juvenile Justice Board, Sundargarh, and Additional District Judge-cum- Special Judge (Vigilance) were declared as paperless courts in 2023.

An e-Library was established at Rajgangpur on 20th February 2023. Foundation stones for a new Bar Hall with Amenity centre at Sundargarh and a new court building at Hemgir were laid by Dr. Justice B.R. Sarangi, the then Acting Chief Justice.

Shri Subhadarshi Pattnaik was the District & Sessions Judge for the entire year of 2023.



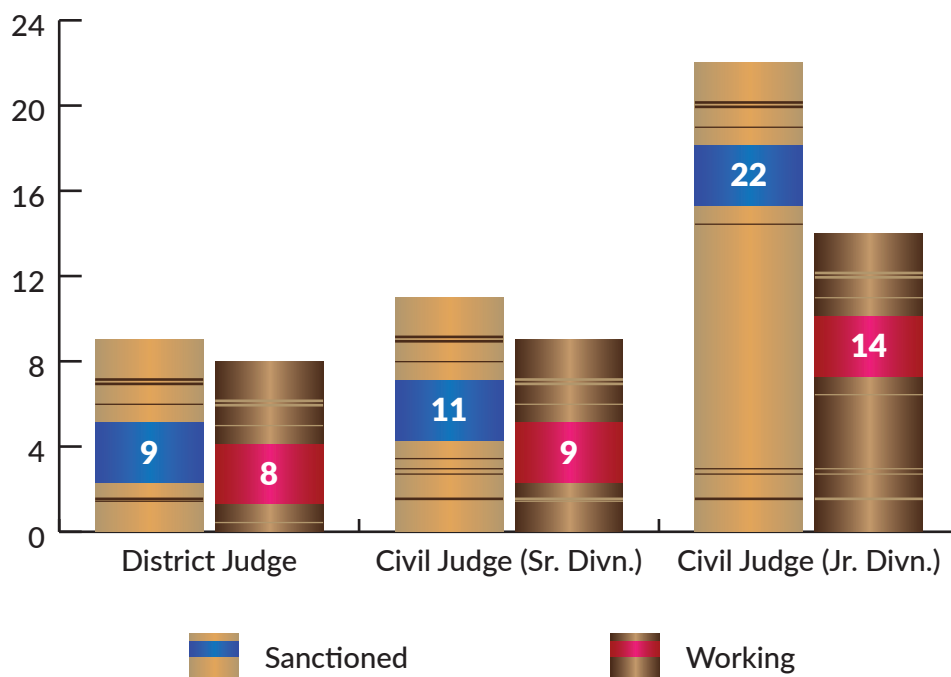
From left to right of the top row- Inauguration of paperless court and Foundation stone laying of Court Complex
Bottom row- Foundation stone laying of Bar Hall

Apart from the District and Sessions Judge, the judgeship consists of the following courts:

Name of the Court	No. of Courts
Judge, Family Court	1
Addl. District & Sessions Judge	4
ADJ-cum-Special Judge (Vigilance)	1
Ad-hoc Addl. District & Sessions Judge (FTSC)	1
Special Court under POCSO Act	1
P.O. Industrial Tribunal	1
Chief Judicial Magistrate	1
Addl. Chief Judicial Magistrate	1
A.S.J.-cum-Registrar, Civil Courts	1
Civil Judge (Sr. Divn.)	5 (includes one Women's Court)
Sub-Divisional Judicial Magistrate	3
Civil Judge (Jr. Divn.)	1
Civil Judge (Jr. Divn.)-cum-J.M.F.C.	2
JMFC	13(includes 2 Courts of LR & LTV and 2 Courts of JMFC (R))
Special Judicial Magistrate	1



Number of judges in each court



Case Statistics

Year	Opening Balance			Institution			Disposed of			Pending Cases at the end of 31 st December		
	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total	Civil	CrI	Total
2022	11,676	84,802	96,478	4,818	38,938	43,756	4,815	42,453	47,268	11,679	81,287	92,966
2023	11,679	81,287	92,966	2,685	17,852	20,537	3,301	13,100	16,401	11,063	86,039	97,102

CHAPTER



SIGNIFICANT JUDGMENTS



Court of the Chief Justice at Heritage Building



DR. JUSTICE
BIDYUT RANJAN SARANGI

Board of Secondary Education v State of Odisha & ors

Case No : W.A. No 1413 of 2022

Date of Decision : 21.11.2023

**Pension is a payment for the past service rendered and is
granted to further social and economic justice.**

The present writ appeal is against the judgment of the Honb'le Single judge, who had allowed for claiming of pro-rata pension based on past service rendered. The respondent No 3 is the petitioner in the earlier case.

The appellants contend that he had rendered only 10 years and 1 month of continuous service with the Board and prior to that he was on deputation, so his earlier period of service is not to be considered for calculating pension. The respondent No 3 on the other hand contended that he had rendered a continuous service of 40 years and various similarly situated persons had already received their pensions.

The court referring to a catena of judgments concluded that pension creates a vested right upon the employer depending upon the statute holding the field; it is a payment for the past service rendered and that it is done to further economic justice and social welfare of the

employees. Since the respondent no 3 was contributing to his pension fund from the inception of his service, he is entitled to the full pension from the Board.

Furthermore relying on U.P. Raghavendra Acharya v State of Karnataka and Sujata Mohanty v Behrampur University, it is reaffirmed that pension is a deferred payment which the respondent no3 is entitled to claim.

Secondly, since similarly placed people have been granted the pension for past service, denying the same in the instant case is an act of discrimination.

Finally, considering matrix from every angle, the court concluded respondent is entitled to pension for past services and such a lis has been decided in the case of State of Andhra Pradesh & another Vs. Smt. Dinavahi Lakshmi Kameshwari and D.D. Tiwari Vs. Uttar Haryana Bijli Vitran Nigam Ltd. Hence the appeal was dismissed.



Balasore Alloys Limited, Balasore & Anr v Union of India & Ors

Case No : W.P.(C) No 14204 of 2023

Date of Decision : 03.11.2023

The Court issued a writ of mandamus asking the Union Government to give formal approval to Balasore Alloys Ltd. to extract Chromite ore.

The petitioner was allotted a mining lease to extract Chromite ore, but subsequently a notice was issued to cease extraction as the required licenses and conditions were yet to be obtained. The petitioner had obtained a stay order on the notice and continued extraction. In the meantime, The Principal Chief Conservator of Forest, Nodal Govt. of Odisha, opined that all the requisite compliances were met and there is delay on the part of the authorities in granting the formal approval. Taking note of the above, the petitioner approached the forest bench of the Apex Court and obtained liberty to approach the High Court. Hence the present writ petition.

The petitioners contend that after complying with the required stage -1 requirement, the authorities must have granted the stage –ii approval and not granting such an approval is

an arbitrary action on the part of the concerned authorities. They further persuaded the court that a writ of mandamus should be passed court for compliance by the opposite parties.

The opposite parties argue that the petitioners had continued the mining operation without formal approval and hence the penalties imposed must be realized before the formal approval can be granted. Since the amount of fines was to be decided, the petitioner could not have been allowed to excavate minerals without forest clearance.

Taking note of the above arguments, a writ of mandamus was passed issuing directions to the opposite parties to provide the formal approval in respect of the area for which the compliances have been met.

Therefore, the petition was allowed.

Kabita Jena and others v Rajat Kumar Mishra & others

Case No : W.A.No 1822 of 2023, 1561 of 2023 & 2539 of 2023

Date of Decision : 22.12.2023

The Court ordered to revive the original merit list of the Assistant Section Officer Recruitment examination.

The present writ appeal was preferred jointly against the writ petition and the subsequent review petition filed by the applicants of the ASO exam. The petitioners were the unsuccessful candidates who claim to have been incorrectly not selected. They obtained a favorable order from the single bench and subsequently a

review was filed by the erstwhile selected candidates. Hence the present writ appeal has been filed by the selected candidates.

Appellants argue that the appeal suffers from non-joinder of necessary parties, as the applicants who were selected were not made a party in the writ petition and that

fixing of subject-wise cut-off marks is well within the discretion of OPSC, even though in earlier exams aggregate mark was preferred. Consequently, the order in the earlier writ petition and review petition should be reversed and the original merit list should be restored.

The respondents contend that no right has accrued in favour of any of the appellants and that they are not the necessary parties to the proceedings. Ruling in favour of the Appellants, the Court stated that the respondents had an opportunity of becoming a party to the proceedings in the earlier stage, instead they choose to be fence sitters. Hence, they are not necessary parties.

The respondents further argue that the decision

to take aggregate marks does not suffer from any malafides, since the rules grant a discretion upon the OPSC to carry out recruitment. The Court accepting the argument reiterated that the 2016 Rules neither prescribes any fixed manner nor method for selection. Therefore, the preparation of select list is not de hors the law.

The Court further pointed out that the respondents had participated in the selection process being fully aware of the rules and seems to have challenged them once they became unsuccessful. Relying on various Apex court decisions, the court stated that such a practice cannot be allowed or entertained.

Therefore, resultantly the writ appeal was allowed and the original select list was revived.

Bhuban Mohan Dash v State of Odisha & Ors.

Case No : W.A. No 18559 of 2015

Date of Decision : 20.11.2023

The Odisha Development Authorities (Retirement Benefit of the Employees) Rules 2015 was declared ultra vires of the Odisha Development Authorities Act, 1982.

The petitioner is an employee of the Cuttack Development Authority (CDA), who has challenged the Odisha Development Authorities (Retirement Benefit of the Employees) Rules 2015 as being ultra vires to the Odisha Development Act, 1982.

Briefly, CDA was brought into the service of the state government along with all the benefits including pension under the Odisha Service Code and not under the Employee Provident Fund. However, since 1982 CDA employees were covered under the EPF and to rectify the same, the government assured that they would be treated at par with the state govt employees. But a contrary Draft Rules, issued for public opinion, in 2015, did not reflect the

same. Hence the present petition.

The petitioners therein contend that the employees of CDA should be treated at par with the state government employees since it is under deep and pervasive control of the state government. As such state, not being a profiteering institution, cannot deny such deferred wages to the petitioner. Such an act is both ultra vires and contrary to the spirit of the constitution.

The respondents contend that the case is an inter-se dispute between the petitioner and the CDA, and the state got involved only because some of the CDA employees sought for state intervention. Furthermore, the new pension

policy that has been formed does not violate the Act in any way, rather is in consonance with the new pension rules.

Since much has been said and discussed regarding ultra vires of the act, the court sought it appropriate to discuss the meaning of ultra vires and conclude that it is when the delegated legislation acts outside its power or contrary to the enabling statute. To this end, the court may also go into the objectives of the

impugned act and test the same for procedural or substantive ultra vires.

Further, the right of pension has been time and again reiterated as deferred wages and is a right of the employee for his tireless work. This right cannot be taken away and hence in the particular case discriminates between CDA employees and state government employees.

Hence the rules are declared ultra vires to the Odisha Development Act 1882.



Golden grass art locally known as "kaincha" depicting a temple displayed in the Chief Justice's chamber



JUSTICE
ARINDAM SINHA

M/s. Satyasai Engineering College, Balasore v. ESIC, BBSR & Ors.

Case Number: W.P.(C) No. 22024 of 2022

Date of Decision: 7th July, 2023

The Employees State Insurance Corporation must afford fair and reasonable opportunity of hearing to establishment before passing orders on determination of arrears.

The petitioner filed this writ petition challenging the order of the Employees State Insurance Corporation (hereinafter 'the Corporation') under Section 45-A of the Employees State Insurance Act, 1948, whereby it ordered to initiate recovery proceedings and issued garnishee order to the banker of the petitioner to recover in excess of Rs. 50 lakhs.

It was contended on behalf of the petitioner that though it participated in two hearings but it did not attend subsequent hearings for which it was set ex-parte and the above order was passed against it behind its back. The petitioner sought an opportunity to present its case for determination on actuals.

The Court was convinced that opportunity of hearing was afforded to the petitioner but subsequently, it was set ex-parte and the determination order was passed in its

absence. The Court further held as follows:

“The provision for determination requiring the authority to give the establishment opportunity of hearing makes the authority to function at determination as a quasi-judicial authority. Function of a quasi-judicial authority is not simply following mandate of the provision to give notice. It must also act in a manner that is fair and reasonable, especially when it is moving ex parte. By relying on extraneous material, the authority did not do so in determining the arrears of contribution.”

The Court held that it is absolutely necessary that for the Corporation to act in such a way that there should not arise any allegation of arbitrariness. Accordingly, the impugned order was quashed and the determination proceedings were restored.



**Commissioner of Income Tax, (Exemption), Hyderabad
v. Orissa Cricket Association, Cuttack**

Case Number : I.T.A. No. 55 of 2018

Date of Decision : 13th July, 2023

**Commissioner of Income Tax is empowered to scrutinize genuineness
of the activities undertaken by an applicant before granting
registration under Section 12AA of the Income Tax Act.**

While hearing this appeal against the decision of the Income Tax Appellate Tribunal, Cuttack, the Court formed the substantial question as to whether the genuineness of the activities carried out by an assessee/applicant can be considered before granting it registration under Section 12AA of the Income Tax Act, 1961, especially when the assessee has been subjected to survey, search and seizure.

The Court observed that under Section 12AA(1) (a), before granting registration, the Principal Commissioner or Commissioner of Income Tax is required to call for such documents or information from the institution as he thinks necessary in order to satisfy himself about the genuineness of activities of institution.

In the instant case, the Court noted that the assessee institution had undertaken such

activities which led to survey operation being conducted and search and seizure being made against its Honorary Secretary and thus held:

“Hence, we find no error committed by the authority in scrutinizing genuineness of activities of the institution in obtaining satisfaction to grant registration. When the authority was confronted by the activities requiring survey, search and seizure, there was conclusion that satisfaction had not been obtained for purpose of granting registration. This, the authority did as required and empowered by the provision existing prior to said amendment.”

The Court, thus, decided the substantial question of law in favour of the Income Tax Authority/revenue and the impugned order was accordingly set aside.

Dr. Deepak Padhi v. Gayatri Panda

Case Number : MATA No. 99 of 2017

Date of Decision : 21st November, 2023

**The Court dissolved marriage between a couple as the wife deserted the
husband for more than a decade without any reasonable cause.**

This matrimonial appeal was filed by the appellant-husband against the impugned order dismissing his petition for divorce and allowing the application of the respondent-wife for restitution of conjugal rights.

The marriage between the couple was solemnised in December, 2003. It was alleged by the husband that the wife left the matrimonial home in the next month itself. It was further alleged that though the husband

visited the wife in her maternal house and also, the wife came to live with the husband for some days, there was no consummation of the marriage.

It was submitted on behalf of the appellant-husband that the respondent-wife left his matrimonial company in May, 2004 without any reasonable cause and did not return thereafter. However, the Court below did not find any cruelty on the part of the wife to have been meted out to the husband for which divorce was not granted, rather wife's application for restitution was allowed.

After taking note of the submissions, the Court was of the view that the wife had intention to permanently forsake and abandon the husband. It also held that there was a total repudiation of obligations by the wife towards her marriage. The Court also went on to observe:

"On analyzing the evidence we have not been able to find a cause proved for the wife to have left the husband. Without delving deep into whether there was consummation of the marriage, we have been unable to find there was consent on the part of the husband for the wife leaving him."

Accordingly, the High Court set aside the judgment and order of the Court below and dissolved the marriage between the couple on the ground of 'desertion'. It also ordered that whatever maintenance amount has already been paid to the wife, in aggregate, shall constitute her permanent alimony.

Medical representatives/sales promotion employees can be considered excluded from the definition of 'workman' if he discharges duties in supervisory, managerial or administrative capacity.

M/s. Sanofi India Ltd., Mumbai v. Sanofi Employees and Allied Workers Union, Ludhiana & Ors.

Case Number : W.P.(C) No. 40518 of 2023

Date of Decision : 19th December, 2023

Medical representatives/sales promotion employees can be considered excluded from the definition of 'workman' if he discharges duties in supervisory, managerial or administrative capacity.

The crux of the issue which arose before the Court for consideration was whether a medical representative/ sales promotion employee can be considered as a 'workman' under Section 2(s) of the Industrial Disputes Act, 1947 considering the nature of work he performs.

The Opposite Party No. 2 was appointed as a sales promotion employee by the petitioner company. Subsequently, a dispute cropped up between the petitioner and the employee, i.e. Opposite Party No. 2 for which the latter sought

to take resort to the provisions under the ID Act.

However, it was argued on behalf of the petitioner company that the employee cannot seek redressal under the ID Act and for that purpose Section 2(d)(i) and (ii) of the Sales Promotion Employees (Conditions of Service) Act, 1976 was relied upon which makes it clear that a person engaged in a supervisory, managerial or administrative capacity and drawing wages exceeding ₹1,600/- per mensem is not a 'sales promotion employee'.

The petitioner submitted that the Opposite Party No. 2 was appointed as a sales promotion employee with supervisory, managerial and administrative duties. It relied upon a Division Bench judgment of the Madhya Pradesh High Court in *Novartis India Limited v. Vipin Srivastava & Ors.* [judgment dated 11th October, 2018 in W.A. No.75 of 2017] wherein it was observed that a medical representative/sales promotion employee may not supervise any person but he is the master of his own affairs and therefore, he cannot be treated as a 'workman' under Section 2(s) of the ID Act.

After taking into account the arguments and the aforementioned decision, the Court respectfully

differed with the aforesaid view taken by the Madhya Pradesh High Court so far as it excluded medical representatives/sales promotion employees on having application of provisions of ID Act to them, going by the nature of work they perform.

While dismissing the writ petition, the Court clarified that the dismissal will not prevent the management from establishing on facts that execution of work done by the concerned employee was in supervisory/managerial/administrative capacity so as to take him outside meaning of 'sales promotion employee' as given in the Act of 1976.



Saura art painting, known locally as Ekons, displayed at Judges' Lounge



JUSTICE
DEBABRATA DASH

Rajesh Dharua v State of Orissa

Case No : JCRLA. No 98 of 2022

Date of Decision : 13.11.2023

Non-appellant co-accused cannot be denied acquittal in fit cases only because of failure to prefer appeal.

The Appellant has preferred this appeal from jail challenging the sentence of life imprisonment along with 10,000 Rupees fine, and in case of default, 1 year of rigorous imprisonment. He was arrested for the murder of Ratan Bhue, along with one other person. He also led the police towards discovery of the weapon used in murder. Based on such the trial court had convicted the appellant and other co-accused. Hence the appeal, but the other co-accused has not preferred the present appeal.

The appellants argue that prosecution's case rests purely on circumstantial evidence, the circumstances being that the deceased was last seen with the appellant and that he had led towards recovery of weapon.

On the last seen theory, the court expressed some doubt regarding the testimonies of the prosecution's witnesses and as such the last seen theory was found to have not been established warranting any explanation from the accused as to the deceased's whereabouts. On the admissibility

of discovery evidence, the court also observed that the various statements of the witnesses are either inconsistent or non-corroborating, which raises credibility of on so called discovery.

Based on the observations, the court declared that the trial court has erred in holding the appellant guilty as the case not been established beyond reasonable doubt.

Furthermore, the court was asked to decide the fate of the other co-accused who, although had not preferred the appeal, is in equal footing with the accused filing the appeal. At the end, the court emphasized the provision 482 and 401 of CrPC and the judicial precedents which point to the fact that the non-appellant co-accused under the circumstances should not be denied the benefit extended to the co-accused who had filed the appeal and must also be released forthwith along with the appellant-accused.

Resultantly, the appeal is allowed.



Bishnupriya Naik @ Nayak v Ramesh Chandra Behera & ors

Case No : RSA. No 383 of 2023(A) and RSA 385 of 2023(B)

Date of Decision : 1.11.2023

Amendment to the plaint cannot be allowed to change the nature of the suit.

The appellants are aggrieved by the order of the first appellate court, in setting aside the decree of the trial court originally awarded in favor of the Defendant. By allowing the appeal, the first appellate court declared the will as valid and right title interest of the plaintiff over the suit land was restored.

Plaintiff argued that he had been in conscious and continuous possession of the said Suit land via a lease deed executed in his favor, by Indumati, with exclusive and uninterrupted possession for the duration of the lease. Subsequently, Indumati agreed to sell the entire suit land and to the end had paid her sons their part and only her part was left to be paid. The plaintiff is ready to willing to perform his part of the obligation, since the original agreement was in 1988.

In pursuance of the original agreement, the plaintiff had everything within his power to obtain the patta of the land in favor of Indumati and after that she was to transfer the said suit land to the plaintiff. However, in the meantime, it is alleged that she had prepared a Will to safeguard the plaintiff's interest in the suit land and after filling of the suit another unregistered will was produced, where Indumati purportedly has bequeathed the property in favor of Defendant no2, of the original suit.

Defendant No 2, counter claimed that Indumati had executed the second will and revoked all her previous will and that she had done so out of love and affection.

Hence the question of law before the court was whether the first appeal court had rightly held the first will to be valid and the second, in favor of Defendant No 2, to be invalid.

To this end the court observed that in the original suit there was no mention of the any will but only a prayer for specific performance of the agreement. The averment for will, praying for the title, was inserted later by amending the plaint and the prayer. That amendment, changing the nature of the suit, was seen with grave suspicion. Therefore, the court held that determination of title based on the 1st will cannot be sustained.

Similarly, on the second will also, the court opined that its validity must have been pressed separately and not as a counterclaim to the original suit for specific performance. Hence the claim of title based on the second will is also outside the scope of the original suit so as to be decided through a counter claim.

Resultantly, the appeal was allowed dismissing both the suit and counter-claim.



Sukanta Prusty v Gayadhar Prusty & anr

Case No : RSA. No 161 of 2019

Date of Decision : 4.12.2023

General power of attorney cannot authorize sale of land by executing sale deed in absence of specific term to that effect.

In this case the appellant-defendant no 1 is the brother of the respondent no 1-plaintiff, who had filed the original suit with the prayer for joint ownership of the suit land. The original suit was dismissed and the plaintiff had carried the matter in appeal, wherein the appeal was allowed granting all the prayers of the plaintiff. Being aggrieved by this order the defendant no 1 has preferred the second appeal.

The Plaintiff stated that, he being an illiterate person, was duped into selling his half-share in the joint property to the defendant no 1 and that both the defendants have colluded to usurp his share in the suit land. The defendants on the other hand contend that the plaintiff is not illiterate, rather has voluntarily executed the power of attorney in favor of defendant no 2 to subsequently execute the sale deed in favor of defendant no 1 in lieu of monetary compensation.

The question of law before the court was to determine the party on whom the burden of proof lies regarding the executed power of attorney.

The defendants submitted that since the allegation of fraud was brought forward by the plaintiff, the burden of establishing the same should lie upon him. The plaintiff submitted that the execution of power of attorney and subsequent sale though is believable, yet considering the totality of the evidence obtained, it became evident that the plaintiff never intended to execute the power of attorney or the subsequent sale deed.

The court held that the power of attorney executed was general in nature and the terms nowhere indicate that the attorney was authorized to sell the suit land by executing the sale deed. Furthermore, no explanation has been adduced from the side of the defendants as to how the consideration amount was transferred or why the said power of attorney was silent about the scheme of such transfer. All these raised grave suspicion in the minds of the court regarding the validity of the said power of attorney.

Resultantly, the appeal was dismissed.

Power Grid Corporation of India Ltd, Balangir v The Collector-cum-Land Acquisition Officer, Balangir & Others

Case No : W.P.(C) No 26192 of 2022

Date of Decision : 4.12.2023

Collector acting as 'Referral Court' under the Land Acquisition Act cannot condone delay beyond statutory period of limitation.

The petitioner had approached the High Court against the action of the Referral Court, that had allowed the reference beyond the period of limitation as prescribed under the Land

Acquisition Act.

The petitioner argued that by efflux of time, the right of reference has been extinguished and such a reference is bad in law. The act of condonation

carried out is de hors the provisions in the Act, as there is no provision allowing for condonation and that reading the same not existing in the statute is also permissible.

Therefore, the court framed 2 major questions for determination, firstly whether the referral court can discharge the reference initiated beyond the period of limitation and secondly, whether the referral court should have admitted the reference condoning the delay.

The high court referred to a catena of decision on this point, specifically as to the extinguishment of the right beyond the period of limitation and stated the settled law that the claimant loses their right to call for reference once the statutory period of limitation has expired. It further explained that the position of the collector in

reference is one of a statutory authority and not a court, therefore it cannot assume the role of a court to condone the delay on an application filed beyond the statutory period. Additionally, the law casts an obligation upon the court to satisfy on the question of limitation, among other things, so to hear the reference.

The High Court pronounced that where the reference has not been proper, the court lacks jurisdiction to hear the reference, which is the situation in the present case. Consequently, since the referral court lacks jurisdiction, it is also not permitted to admit the case to condone the delay, and turn an invalid reference as valid.

Resultantly, the proceedings before the reference court is quashed



Bandhakala handloom artwork, known locally as sambalpuri, displayed at second floor corridor, New Building of the High Court



JUSTICE
SANGAM KUMAR SAHOO

Khudia @ Khudiram Tudu v. State of Odisha

Case Number: JCRLA No. 76 of 2019

Date of Decision: 22nd March, 2023

“Criminal trial is not an IPL T20 match”: Trial Courts cannot mechanically dispose of criminal trials without giving reasonable time to defence lawyer to prepare for the case.

The Court was hearing an appeal filed by a person convicted under Section 376(2)(I) of the IPC for committing rape upon a disabled girl. The order of conviction was assailed by the appellant primarily on the ground that a new State Defence Counsel (SDC) was appointed by the trial Court to represent the appellant on the date of examination of the victim but no police paper was supplied to him.

Further, it was submitted on behalf of the appellant that the trial Court handed over a copy of the case record to the newly appointed SDC and asked him to go through the same immediately and complete the cross-examination of the victim on that very day itself.

After hearing arguments for both the sides

and going through the case records, the Single Bench opined that the engagement of SDC in trial Courts should not be a mere compliance of provision of law or empty formality. While passing order for de novo trial of the case, the Court observed as follows:

“Engaging a new State Defence Counsel without providing him police papers and just asking him to inspect the case record and to cross-examine the victim and also taking consent from him to conclude the cross-examination on that day itself, in my humble view, is a gross illegality and the accused has been seriously prejudiced by such action of the trial Court. A criminal trial is not an IPL T20 match where every ‘substitute player’ can be an ‘impact player.’”

Tikiri Behera v. State of Odisha

Case Number: JCRLA No. 75 of 2019

Date of Decision: 2nd August, 2023

“Daughters are worshipped as ‘Devi’”: The Court upheld conviction of father accused of repeatedly committing rape on daughter.

The Court was hearing an appeal against the order of conviction of the appellant accused of committing various sexual offences, including

rape, with his own daughter. It was alleged by the prosecution that the appellant sexually abused his daughter, i.e. the victim on various

occasions and the victim could not resist the same as her own guardian was the offender.

It was argued on behalf of the appellant that no injury was found on the genitals of the victim which can be said to be suggestive of forced sexual intercourse. However, the Court out-rightly rejected such contention noting that the time gap between the overt act and the medical examination is quite vital and a long gap between the both may cause healing of injuries.

After giving careful consideration to each and every factor raised on behalf of both the parties, the Court found hardly any reason to disturb the findings of the trial Court. It expressed its shock at the ghastly crime committed by

a father upon his own daughter and while dismissing the appeal against the order of the trial Court, it observed as follows:

“This degrading act of the appellant stupefies the judicial conscience of this Court as it is unthinkable to even comprehend that in a country where women are traditionally viewed as an incarnation of the God and daughters are worshipped as ‘Devi’, such heinous acts are being committed by a father. A daughter needs a father to be the standard against which she will judge all men. When the father who is the creator of the girl child and supposed to act as her protector, takes the role of the predator, it would be sheer betrayal of someone’s trust and faith and has got serious impact on humanity.”

Nimananda Biswal v. State of Odisha & Ors.

Case Number: WPCRL No. 124 of 2023

Date of Decision: 08.09.2023

Writ of habeas corpus cannot be issued to trace out of missing persons.

The Court was hearing a writ petition filed by the petitioner seeking to issue a writ in the nature of habeas corpus to trace out her missing daughter who was untraceable since long. He alleged that even though one year had elapsed since the FIR was lodged, but the police authorities did not take any efficacious step to locate the victim.

After considering the facts of the case, the Court expressed apprehension about maintainability of the petition as it seemed to be a case of ‘missing person’. The Bench cited a number of precedents from the Hon’ble Supreme Court as well as the High Court to hold that the writ

of habeas corpus cannot be issued in ‘missing person’ cases.

The Court further held that the writ of habeas corpus cannot be issued in casual or routine manner. Though it is a writ of right but it is certainly not a writ of course. It also observed that the writ of habeas corpus is a festinum remedium or a ‘speedy remedy’ and therefore, it can only be invoked in a clear case of ‘illegal confinement’.

Therefore, it was ruled that when illegal confinement of the victim by a person or a group of persons is not established or not apparent from the facts, remedy cannot be sought under this writ.



Partha Sarathi Das v. State of Odisha & Ors.

Case Number: WPCRL No. 70 of 2023

Date of Decision: 10th October, 2023

The Court ordered the State Government to conduct training programs for Notaries; Directed District Judges to inspect register of Notaries twice a year.

In this case, the Court was hearing a writ petition in the nature of habeas corpus filed by the petitioner to get back the custody of a girl, whom he claimed to be his wife. The petitioner alleged that subsequent to their marriage, the relatives of the girl took her away from his custody after making false promises.

It was submitted on behalf of the petitioner before the Court that he married the girl by executing an affidavit of marriage before a Notary Public. The Court was surprised to see the marriage declaration form executed before the Notary Public, as he is not authorized to register marriages.

Taking judicial cognizance of the matter, the Court referred to Section 8(1) of the Notaries Act, 1952 as well as various judgments rendered by the Hon'ble Supreme Court and the High Court to clarify that Notaries lack authority to register marriage. It further cited the notification of the Law Department dated 18.03.2009 which instructed the Notaries of the State to refrain from issuing marriage certificates.

The Court directed the concerned Notary to appear before it personally and to explain as to under what authority he endorsed the marriage declaration certificate. The Notary duly appeared and pleaded unconditional apology for issuing an extra-legal marriage certificate and filed an affidavit assuring the Court to refrain from repeating the same mistake in the future.

However, noting the lack of awareness among the Notaries about their duties and functional limits, the Court directed the State Government to arrange training programme for all the Notaries of the State on a regular basis, either physical or through virtual mode and also to issue guidelines to apprise them of their functions and duties as has been laid down under Section 8 of the Notaries Act, 1952.

It was also ordered that District Judges or an officer appointed by the Government shall inspect the registers maintained by the Notaries twice a year, as per the provision prescribed under Rule 11(5) of the Notaries Rules, 1956.



JUSTICE
KRUSHNA RAM MOHAPATRA

Shantilata Sahoo v. Sub-Registrar, Cuttack

Case Number: W.P. (C) No. 8168 of 2023

Date of decision: 8th May 2023

A compromise decree by virtue of which a new right is created in favour of a party is required to be registered compulsorily under Section 17(1) of the Registration Act.

In this case, the petitioner has prayed for a direction to Opposite Party No.2-Sub-Registrar, Cuttack to accept the certified copy of the judgment and decree dated 26th December, 2022 and 6th January, 2023 respectively passed by learned 3rd Additional District Judge, Cuttack in RFA No.459 of 2022 for registration.

The Petitioner had submitted that CS No.288 of 2021 was dismissed vide judgment dated 19th May, 2022 passed by learned Senior Civil Judge, 1st Court, Cuttack without accepting the compromise entered into between the parties. Assailing the same, the Petitioner filed RFA No.459 of 2022, which was disposed of vide judgment dated 26th December, 2022 wherein it was held that in the instance case as the suit land has been recorded in the name of the appellant who is a female Hindu, in view of section 14 of the Hindu Succession Act it is clear that the suit land is the absolute property of the appellant and as per the terms of compromise a new right is going to be created in favour of the respondent. Accordingly, the certified copy of judgment and decree in RFA No.459 of 2022 was presented before the Sub-Registrar, Cuttack-Opposite Party No.2 for registration. The Sub-Registrar under a

misconception that a judgment and decree arrived on compromise is not registrable, refused to accept the same.

The Petitioner while relying upon the decision in the case of Bhoop Singh v. Ram Singh Major and others (1995) 5 SCC 709, submitted that since a new right is created in favour of the Respondent in the aforesaid appeal by virtue of the compromise, the judgment and decree is compulsorily registrable under Section 17 (1) of the Registration Act, 1908. The Additional Standing Counsel did not dispute the contention and rather submitted that the property in question was the absolute property of a female Hindu (the Petitioner) under Section 14 of the Hindu Succession Act, 1956 and by virtue of a compromise decree, a new right is created in favour of the Respondent in the aforesaid appeal.

This Court iterated that law is no more res integra on the issue that when a new right is created in favour of a party by way of a compromise decree, the same is compulsorily registrable under Section 17 (1) of the Registration Act. When of course, the parties have a pre-existing right over the property and by virtue of the

compromise, only an adjustment has been made, the same may not attract Section 17 of the Registration Act, which depends upon

the facts and circumstances of the case. The petition was therefore allowed.

Mamata Samantaray v. Saraswati Patra

Case Number: C.M.P. No. 64 of 2023

Date of decision: 3rd May 2023

If the Defendant chooses not to adduce any evidence despite being present in the Court, the suit cannot be said to have been decided ex parte.

In this case, CS No.310 of 2017 was filed by the Plaintiff-Opposite Party for eviction, recovery of outstanding monthly rent along with arrear electricity and water charges as well as for recovery of damages from the Defendant-Petitioner. As the Defendant took several adjournments and did not co-operate for conclusion of the trial of the suit by adducing evidence, the Plaintiff moved this Court in CMP No.112 of 2020, which was disposed of on 6th February, 2020 with a direction to hear the suit on day-to-day basis. After several adjournments and absents from the side of the Defendant, the suit was then posted to next day, i.e., 8th October, 2021 for further argument. On the said date, the Defendant filed an application under Order VI Rule 17 CPC for amendment of the written statement, which was rejected on the very same day and the argument was taken up. As such, judgment of the suit was pronounced on contest on 11th October, 2021. The decree was also signed on 27th October, 2021. Thereafter, on 3rd November, 2021, the Defendant filed an application under Order IX Rule 13 CPC (CMA No.69 of 2021) to set aside the judgment and decree passed in CS No.310 of 2017 stating that the suit was decreed ex-parte. The 1st Additional Civil Judge (Senior Division), Bhubaneswar after hearing the parties, vide order dated 12th October, 2022

(Annexure-2) held the petition under Order IX Rule 13 CPC to be not maintainable since the suit was decreed on contest.

The Defendant-Petitioner strenuously argued that the suit was decreed in terms of Order XVII Rule 2 read with Rule 3(b) CPC. Thus, the suit although stated to have been disposed of on contest, but in law the same is an ex-parte decree. When the Defendant did not adduce any evidence in the suit and was not present physically on the date to which the suit was posted for hearing, it cannot be said that the suit was decreed on contest. Appearance of the Defendant-Petitioner means his physical appearance in Court and not through his learned counsel. In the instant case, admittedly, the Defendant was not present physically when her evidence was closed and till then no evidence was adduced by the Defendant. Then the suit was posted for argument. As such, the suit should have been disposed of in terms of Order XVII Rule 2 CPC read with Rule 3(b) of the said Order.

The Opposite Party contended that the Defendant being present in Court either physically or through her learned counsel on different adjourned dates of hearing of the suit did not adduce evidence and sought for adjournment. Only because she has not

adduced any evidence it cannot be said that she was absent on the date of hearing of the suit. Thus, Order XVII Rule 3(a) CPC squarely applies to the case at hand. The amendment of Order XVII Rule 3(a) was introduced to deal with such type of situations when the Defendant being present in Court either in person or through Advocate does not lead any evidence or perform any other act necessary for the progress of the suit. In the instant case, the suit was posted for adducing evidence on behalf of the Defendant. She being present failed to produce her witness in the suit. Thus, the Petitioner cannot take shelter either under Order XVII Rule 2 or 3(b).

This Court observed that when a party is absent on the date to which the suit is posted for hearing, the Court may proceed in any of the modes as provided under Order IX. To the contrary, where a party to the suit to whom time has been granted to produce evidence, or cause the attendance of the witness, fails to

do so or fails to perform any act for which time has been allowed, the Court in its discretion, notwithstanding such default, may proceed to decide the suit forthwith, provided the parties are present. If such party is absent, the only option left with the Court is to proceed with the suit in any of the modes provided under Order IX. The case of the Petitioner squarely falls under Rule 3(a) of Order XVII C.P.C., as the Defendant failed to perform the act for which hearing of the suit was adjourned being present in Court through her Advocate. A party cannot be allowed to take advantage of his own fault at the cost of prejudice to the adversary. Neither Rule 2 nor Rule 3 provides that if the party chooses not to adduce any evidence, the Court has to proceed in any of the modes provided under Order IX. In the instant case, the conduct of Defendant clearly illustrates that she chose not to adduce any evidence on her behalf being present in Court. In that event, it cannot be said that the suit was decided *ex parte*. The petition was therefore rejected.

Sudam Charan Sahoo v. Sasmita Sahoo and Ors.

Case Number: C.M.P. No. 756 of 2022

Date of decision: 31st January 2023

An application under Order VII Rule 10 of the CPC should not be entertained by the Court when further proceeding in the suit has been stayed by the superior Court.

In this case, Opposite Party Nos.1 to 3 filed an application under Section 276 of the Indian Succession Act, 1925 before District Judge, Dhenkanal for grant of probate of Will, which was registered as Test Case No.14/20 of 2003. The Petitioner has been arrayed as Opposite Party No.2 in the said proceeding. Partition Suit in CS No.99 of 2002 is also pending between the parties to the probate proceeding before learned Senior Civil Judge, Angul. After death of the Plaintiff in the suit for partition, the Petitioner

filed an application to be transposed as Plaintiff in the said suit. He also filed an application to club up both the suits, i.e., CS No.24 of 2004 and CS No.99 of 2002. Both the applications were dismissed by learned Senior Civil Judge, Angul, vide order dated 29th April, 2022. Assailing the same, the Petitioner filed CMP No.526 of 2022 and by order dated 21st June, 2022, this Court directed stay of further proceedings of CS No.24 of 2004. When the interim order was continuing, the Petitioner filed an application

under Order VII Rule 10 CPC with a prayer to return the plaint to the Opposite Party Nos.1 to 3 (Petitioners therein) to be filed before the competent Court, i.e., learned District Judge, Angul. The rejection of the said application has been contended in this case.

The petitioner has contended that the Senior Civil Judge, Angul could not have taken up the petition under Order VII Rule 10 CPC for adjudication when an interim order of stay of further proceeding of CS No.24 of 2004 was in vogue. Secondly, Senior Civil Judge, Angul lacks jurisdiction to entertain a contentious probate proceeding filed (CS No.24 of 2004) under Section 276 of the Act of 1925. He submitted that the direction in the interim order dated 21st June, 2022 was not addressed to the parties to the proceeding, but to the Court to arrest further proceeding of CS No.24 of 2004. Thus, even if an application under Order VII Rule 10 CPC was moved by the present Petitioner, it was the duty of the Court to restrain itself from passing any judicial order thereon.

The Opposite Party has contended that Sections 265, 286 and 288 of the Act of 1925 leave no room of doubt that whenever there is contention in an application under Section 276 of the said Act, the district delegate loses jurisdiction to proceed with the matter and he should return the application to the applicant to be presented before the concerned District Judge. In the instant case, the application under Section 276 of the Act, 1925 was not presented before the district delegate, but it was presented in the Court of learned District Judge, Dhenkanal, which is certainly not a district delegate. The said application became contentious subsequently. A transferee Court is denuded of the power to entertain an application under Order VII Rule 10 CPC to return the application. He further

submitted that Act of 1887 was applicable to the State of Odisha which was repealed by Act, 1984. Sub-section (2) of Section 25 of the Act of 1984 clearly states that all such notifications, jurisdictions and power conferred under the Act, 1887 deemed to have been issued/conferred and published under the Act of 1984. No district delegate has yet been appointed in the State of Odisha. Thus, learned District Judge was well within its power to transfer the instant contentious probate proceeding to Senior Civil Judge, Angul.

This Court held that it is in no unambiguous terms held by this Court that trial Court retains its jurisdiction to consider and pass orders in matters which are collateral or which may be protective or which would be for the purpose of keeping the lis alive even during subsistence of the order of the superior Court directing stay of the proceedings in the suit. But the Court should take care to ascertain that the subject matter in the petition does not touch trial of the suit, which has been stayed by the superior Court. It is further clear that adjudication of a petition, which is likely to affect trial of the suit or to take away the jurisdiction of the Court to try the suit, cannot be entertained when further proceeding of the suit is stayed. As such, learned trial Court has committed an error in entertaining an application under Order VII Rule 10 CPC when an interim order of stay of further proceeding of the suit was in operation. True it is that, the application under Order VII Rule 10 CPC was filed during subsistence of the aforesaid interim order, but in all fairness learned trial Court should have waited to entertain such application after the interim order is either vacated or exhausted. Accordingly, the impugned order 12th July, 2022 passed in CS No.24 of 2004 was set aside and the CMP was allowed.



**Kalinga Institute of Mining Engineering and Technology Trust (KIMET),
Chhendipada, Angul & Anr. v. Dr. Bipin Bihari Behera & Ors.**

Case Number: CRP No. 3 of 2019

Date of decision: 25th May 2023

The Court need not go into the details of contentions while adjudicating application under Section 92(1), CPC; mere recording of prima facie satisfaction as to presence of ingredients is sufficient.

In this case, the Petitioner No.1-Trust was created by executing Trust Deed registered on 22nd August, 1989 on the terms and conditions more-fully described therein. There were allegations of mismanagement of the Trust and Institution. The Petitioner No.2, who is managing the Trust, allegedly misappropriating funds of the Trust as well as institution. He has also inducted trustee at his own will without following the provisions of Bye-law. The villagers, namely, Opposite Party Nos.1 to 6, who have purported interest in the Trust filed an application under Section 92(1) C.P.C. seeking leave to file the suit being accompanied by the proposed plaint. The application under Section 92(1) of the C.P.C. was registered as CMA No. 25 of 2017 on the board of learned District Judge, Angul. Upon receipt of the application, notices were issued to the Petitioners along with other Opposite Parties therein. Learned District Judge, Angul vide judgment under Annexure 4 allowed the said application granting leave to the Opposite Party Nos.1 to 6 to file the suit as proposed against the Petitioners and Opposite Party Nos.7 to 9. As such, the Petitioners, who are arrayed as Defendant Nos.1 and 2 in the suit, being aggrieved by the said order under Annexure-4, have filed this CMP.

The petitioner contended that the Governing Body of the Institution has been constituted

as per the norms of AICTE and the Petitioner No.1 has been approved as Chairman of the said Governing Body by the State Government, vide its order dated 31st January, 2015. When the matter stood thus, the Opposite Party Nos.1 to 6, who are complete strangers and have no locus standi in the management of either the Trust or the Institution, made several communications to different authorities, which was against the interest of both Trust and Institution. Upon receipt of such application, notices were issued to the Opposite Parties therein including the Petitioners, who entered appearance and filed their objection, questioning the maintainability of the said CMA. It was specifically stated therein that the CMA is not maintainable for non-compliance of the provisions under Order I Rule 8 CPC. The dispute raised in the CMA does not come under the purview of Section 92(1) CPC, as the Trust is neither charitable nor a religious one. Rather, the Trust has been created to impart technical education, which is a Public Trust.

The Opposite Parties contended that the impugned order under Annexure-4 being an administrative order no revision under Section 115 CPC is maintainable. The impugned order cannot be placed in the category of 'case decided'. Thus, Section 115 CPC is not attracted in the instant case. No prejudice has been caused to the Petitioners, more

particularly the Petitioner No.2, in view of leave granted to institute the suit. It is categorically stated that the order under section 92 being administrative in nature, no civil revision is maintainable against the said order. He further contended that while granting the application under Section 92 (1) CPC, the Court need not go into the details of the contentions of the parties. It has to see, on application of mind, and record a prima facie finding that the ingredients of Section 92 (1) CPC are satisfied.

The Court held that there is nothing in the petition under Section 92(1) CPC which would suggest that the Opposite Party Nos.1 to 6 are seeking declaration of their personal or

individual right. Opposite Party Nos.1 to 6 claim themselves to be the villagers of Chhendipada where the institution situates. Since the Trust has been created for imparting technical education to the students of the locality, the Petitioners have interest in the said Trust. Applicability of principles of res judicata is a mixed question of fact and law. Since learned District Judge has only recorded a prima facie satisfaction while adjudicating the petition under Section 92(1) CPC, he is not required to delve into veracity of the allegation at that stage. Thus, the issue of res judicata, if raised, can be adjudicated in the suit itself. The petition was therefore rejected.



From left to right - straw craft from ganjam and dhenkanal, displayed in the second floor corridor, New Building of the High Court



JUSTICE
BIBHU PRASAD ROUTRAY

Rabindra Kumar Jena v. Republic of India (CBI)

Case Number: CRLMC No. 1887 of 2022

Date of Decision: 6th February 2023

**The Court refused to quash case against former Member of Parliament
Rabindra Jena in Seashore chit fund scam case.**

Rabindra Kumar Jena, a former Member of Parliament from Balasore constituency allegedly hatched a conspiracy with the principal accused Prashant Kumar Dash and others to lure the general public to make deposits with Seashore group, which promised higher interests and multiple other benefits in return.

A sum of Rs.1.75 Crores was allegedly diverted to the petitioner in 2011 illegally out of the money received through such public deposits by the principal accused and Seashore Group of Companies.

However, refuting such charges, it was argued on behalf of the petitioner that there was no material to reveal how and when local support was garnered by the petitioner and also no proof was forthcoming regarding meeting

of minds between the petitioner and other accused persons to dupe the public.

The Court observed that the petitioner failed to explain as to what kind of relationship he shared with the principal accused or with his group of companies that prompted the companies to give such a huge amount of personal loan to the petitioner.

Therefore, it was of the view that non-explanation of such nexus inevitably gives rise to the presumption that the money was credited in favour of the petitioner for the illegal money circulation business in Balasore area. Accordingly, the Court did not grant relief to the petitioner by quashing the pending criminal proceedings against him.



**Case Title: The Divisional Manager, M/s. National Insurance Company Ltd.,
Cantonment Road, Cuttack v. Subala @ Budhibaman Patra & Ors.**

Case Number: MACA No. 385 of 2019

Date of Decision: 26th June 2023

**Private factory premises having access to public would be construed as
'public place' for grant of compensation under the Motor Vehicles Act.**

The Court was hearing an appeal filed the insurer, i.e. National Insurance Company Ltd. challenging its liability to pay compensation to the respondents on account of death of the victim which happened due to a vehicular accident inside the premises of a factory.

In this case, the victim was a driver of a truck which was brought to the concerned factory premises for unloading. When his truck was standing inside the premises and he was taking rest at the back side of the truck awaiting his turn to unload his vehicle, another truck came in a negligent and rash manner and ran over him.

Therefore, the moot question which arose for consideration is that when the accident happened inside the premises of a factory, whether it would be construed as a 'public place' as per the definition provided under Section 2(34) of the Motor Vehicles Act, 1988.

The Court referred to various decisions of the Orissa High Court as well as other High Courts and came to a definite conclusion that though the factory, where the said accident occurred, is a private factory but the its premises had access of vehicles for business purpose and the deceased was driver of one of such vehicles.

It further observed that the definition of 'public place' as given under the MV Act has to accorded a wide connotation to include any place to which the members of public use and where they have a right of access no matter whether the right of access is permissive, limited, restricted or regulated.

Taking into account the facts of the case, the Court was of the view that when the entry of a transport vehicle is permitted in the factory premises, it can be safely concluded that such premises constitute a 'public place' for the purpose of grant of compensation and liability on the part of the insurer in terms of Section 147 of the MV Act.

Nrusingha Behera v. Brajaraj Das & Anr.

Case Number: RSA No. 62 of 2019

Date of Decision: 6th January 2023

**Court must take into account conduct, behaviour and attitude
of parties while granting condonation of delay.**

The Court was hearing an appeal from the decision of the District Judge, Khurda wherein first appeal against the decision of the lower

Court was dismissed on the ground of limitation as there was a delay of around 7 years and 291 days in preferring appeal.

Respondent No.1 filed a civil suit praying to declare him as the son of Kulamani Behera subsequent to the latter's death and thereby, prayed to replace the name of Rajkishore Das with Kulamani Behera as his father in his school certificate.

For the said purpose, the Respondent No.1 impleaded his natural mother as the sole defendant. As no objection was raised by the mother, the suit was decreed in favour of the Respondent No.1 declaring that his father's name has been wrongly mentioned as 'Rajkishore Das' in certificate which was corrected as 'Kulamani Behera'.

Kulamani had ancestral as well as self-acquired properties. After his death, when the matter of partition arose, it came to the notice of the Appellant that the Respondent No.1 had obtained a decree in his favour through a civil suit declaring him as the son of Kulamani Behera.

Subsequently, the Appellant obtained the certified copy of the decree and filed the regular first appeal before the District Judge. However, the appeal was dismissed on the ground that there was delay of around 7 years and 291 days.

The Court held that the term 'sufficient cause' under Section 5 of the Limitation Act should be understood with proper spirit and purpose in the context of the facts of each case where the conduct, behaviour and attitude of the parties relating to action, inaction and negligence are relevant considerations.

The Court noted that the Respondent No.1 did not implead his brothers, including the Appellant, as defendants in the suit where he was declared as the son of Kulamani Behera. Therefore, his intent is clear that he wanted to get the suit decreed behind the back of the Appellant and other concerned parties. Thus, the Court condoned the delay and allowed the appeal.

M/s. National Aluminium Co. Ltd. v. Union of India

Case Number: FAO No. 306 of 2022

Date of Decision: 18th January 2023

Notice under Section 106 of the Railways Act not mandatory for recovery of 'additional charges'.

The Court was hearing an appeal against the order of the Railway Claims Tribunal whereby the Tribunal had refused to condone delay in presenting application filed by the National Aluminium Company (NALCO) for recovery of surplus freight charges paid to the East Coast Railway.

The NALCO had booked consignments of private rail wagons for transportation by railways. The dispute arose when it came to the knowledge of the appellant, i.e. NALCO

that though consignments were booked for transportation through a longer route, the railway in fact transported through the shorter route. However, it charged the appellant for the longer route. Thus, the appellant filed an application before the Tribunal for recovery of the additional charges.

The Tribunal rejected the application of the appellant on the ground that though the consignments were booked in the year 2016, the application was filed only in the

year 2021 and therefore, there was a delay over the prescribed period of limitation, i.e. three years.

Also, an objection was raised by the Respondent, i.e. the railway that the mandatory notice required under Section 106 of the Railways Act was not supplied by the NALCO to the railway and in absence of such notice, the claim application cannot be held to be maintainable.

However, referring to a previous judgment of the Orissa High Court, the Court was of the opinion that additional charges received by the railway cannot be termed as 'overcharge' as appears under Section 106 and therefore, giving notice to the

opposite party is not mandatory for making an application maintainable for recovery of additional charges.

As far as question of limitation was concerned, the Court was of the considered view that though the first cause of action arose in April, 2016 but it continued till March, 2021 as there was an agreement for transportation for the aforesaid period.

Therefore, it was held as the cause of action continued on repetition, the prescribed limitation has not expired as the claim application was filed in December, 2021. Accordingly, the matter was remitted back to the Tribunal for fresh adjudication of the claim.



Replica of the wheels of the famous Konark Sun Temple made of pink sandstone displayed in Chief Justice's chamber



DR. JUSTICE
SANJEEB KUMAR PANIGRAHI

Sourabha, NGO, Khurdha v. State of Odisha & Ors.

Case Number: W.P.(C) No.22195 of 2022

Date of decision: 25th July 2023

Party cannot allege non-compliance of principles of natural justice merely because it failed to explain its case during hearing.

In this case, the Petitioner (NGO) challenged the order passed by the Joint Secretary to Government, S.T. and S.C. Development Department terminating the existing agreement in respect of two Projects in the district of Sundargarh which were allotted to the petitioner. The duration of the programme was seven years and it was decided that the Entry Point Activities of the NGOs will be reviewed after one year. If the performance was found satisfactory, the said NGO shall proceed for another six years.

However, the Opposite Party No.4 terminated the contract with the Petitioner NGO within a period of 30 days i.e. 17.06.2018 as per Clause-2.8. Thereafter, the Petitioner approached this Court challenging the termination order dated 19.05.2018 in W.P. (C) No.9559 of 2018 which was disposed of on 31.08.2021 with a direction to “the Petitioner to appear before the Programme Director, OPELIP, ST & SC Development Department (Opposite Party No-4) either physically or through Video Conferencing mode on 06.09.2021, who in turn is directed to fix a date for giving personal hearing to the Petitioner. Upon completion of such hearing, the Opposite Party No-4 is directed to pass the

final order in accordance with law”

The Opposite Parties clarified that with due regard to the order dated 19.05.2018 in WP. (C) No.9559 of 2018, the Programme Director (Opposite Party No.4) had directed the petitioner to appear before the Opposite Party No.4 either physically or in Video Conference mode on 06.09.2021 to fix a date for personal hearing. The petitioner did not appear. Subsequently, on 23.09.2021, the petitioner replied to the Show Cause Notice No.920 dated 09.05.2018 of the Programme Director (Opposite Party No.4), explaining the reasons for taking up Entry Point Activity (EPA) in PBDA, Khuntagaon, Sundargarh District, and KKDA, Belghar, Kandhamal District.

This Court has held that the Petitioner’s assertion that the Show Cause Notice in the Writ Petition does not align with the operational guidelines of Entry Point Activity (EPA) issued by the Programme Implementation Agency (PLA) and, consequently, cannot serve as a valid basis for the termination of the agreement is entirely misconstrued. The main objectives of the Entry Point Activity (EPA) are (i) Community Mobilisation for effective and participatory project implementation (ii) gaining

confidence of the targeted community on the project and their management skills (iii) endowing tangible assets to the targeted communities and (iv) providing short term financial benefits and incentives to the villagers (wages). Based on these broad objectives, the show cause notice was issued seeking reply on (i) How the Entry Point Activity (EPA) taken up in the financial year 2017-18 led to the empowerment of the targeted communities (ii) the effect of Entry Point Activity (EPA) work made on capacity building to the targeted community (iii) Whether the Entry Point Activity (EPA) works taken up led to sustainable livelihoods development and (iv)

number of man days generated after terminate the contract and consequently, disengage the Petitioner's organization with immediate effect.

Moreover, this court held that the Opposite Party No.4 offered opportunity for personal hearing on 07.10.2021. Accordingly, the Petitioner along with NGO President attended the personal hearing. During the course of hearing, they failed to explain their case. Therefore, this Court held that there has been no violation of the principle of natural justice as the petitioner was provided sufficient opportunities to present its case.

Ashok

Kumar Mohapatra v. State of Orissa & Ors.

Case Number: W.P.(C) No.19642 of 2022 and batch

Date of decision: 1st February 2023

Untrained teachers can be appointed against the trained graduate posts and will be entitled to trained graduate scale of pay after acquiring the required qualification.

In this case, the Petitioner (Headmaster in Sundargram High School, Sundargram), challenged the legality of the Order passed by the Opposite Party No.3/District Education Officer, Cuttack in not granting 3rd MACP with effect from 13.01.2018 and also not treating the payment of Trained Graduate Scale after acquiring Trained Graduate qualification as one upgradation. He challenged the said order on the ground that the said order has been passed in clear violation of the order passed by the Odisha Administrative Tribunal, Principal Bench, Bhubaneswar in O.A. No.1668 of 2017 (Ashok Kumar Mohapatra vs. State of Orissa and Ors.) which has been upheld in Orissa High Court and Supreme Court.

The Petitioner submitted that, admittedly, the Petitioner having B.Sc. qualification was appointed as an Assistant Teacher against a

Trained Graduate post and his post was approved by the Managing Committee vide received untrained scale from 01.01.1987 to 11.01.1988 and trained scale from 12.01.1988 i.e. the date of acquiring B.Ed. qualification. Under the ORSP Rule, 1998 the Time Bound Advancement (TBA) scale like ACP/RACP was given to the Petitioner after completion of 15 years of service with effect from 12.01.2003. He further submitted that vide Resolution dated 06.02.2013 by the Finance Department, Government of Odisha, the Petitioner was allowed to avail the benefits of RACP after completion of 10/20 years of service with effect from 12.01.1998 and 12.01.2008 respectively. The Order issued by the District Education Officer, Cuttack on 28.02.2014, and the subsequent action taken by the District Education Officer in modifying the earlier order to grant RACP in favor of the

Petitioner after completing 10/20 years of service and receiving the Trained Graduate scale is also legally unwarranted.

The opposing parties argued that the Petitioner's Grade Pay under RACP was mistakenly fixed. The appointment of the petitioner ought to have been at a Grade Pay of Rs.2800/-, the entitlement of the Petitioner under RACP would have been 1st stage RACP @ Rs.4200/-; 2nd stage RACP @ Rs.4600/-. However, from the pay fixation order, it appears that he has been allowed the 2nd stage RACP @ Rs.4500/-; an error made while considering the Grade Pay at the time of the Petitioner's appointment to the entry-grade scale. Nevertheless, this mistake does not provide a valid basis for the Petitioner to claim a right to correction of the pay fixation.

This Court held that prior to introduction of the Orissa Subordinate Education (Methods of Recruitment and Conditions of Service) Rules, 1993, the Orissa Subordinate Education Service (General Branch) Rules, 1972 was in force and under the said Rules, two posts were available (i) Trained Graduate post and (ii) Untrained Graduate post. This Court considering the statutory provisions of 1972 Rules read with 1974 Rules, had held in the case of Vivekananda

Das v. State of Orissa (1997 (ii) OLR 122) that untrained teachers can be appointed as against the Trained Graduate post and will get untrained scale till acquiring the training qualification and thereafter trained scale with effect from acquiring the training qualification. The said judgment of this Court has been affirmed by the Apex Court. In fact, there is no legal bar in appointing untrained teachers as against Trained Graduate post. It is also submitted that with regard to grant of higher scale of pay on acquiring higher qualification has already been resolved in O.A. No.520 of 2014 which has been confirmed in W.P.(C) No.2831 of 2016 as well as by the Apex Court in Diary No.20358 of 2017.

It is clear from the facts that the Government in principle has accepted the ratio of the judgment (Ashok Kumar Mohapatra's Case) of the Petitioner's case, and also has acted upon by issuing the letter dated 14.07.2022 by the Director of Secondary Education to grant the similar benefits to other similarly placed persons. Accordingly, almost all District Education Officers have started processing for sanction of RACP/MACP in favor of similarly placed persons. Therefore, this Court quashed the impugned order issued by the District Education Officer, Cuttack.

**GMR Kamalanga Energy Ltd. v. SEPCO Electric Power Construction Corporation
Tower, A, Chengcheng Mansion No.10567, Jingshi Road Jinan, Shandong, China.**

Case Number: ARBA (ICA) No.1 of 2023

Date of decision: 27th September 2023

Coram: Former Chief Justice S. Talapatra, Justice Sanjeeb Kumar Panigrahi

**Arbitral Tribunal can neither ignore the terms of contract
nor can it rewrite clauses of the contract.**

In this case, disputes had arisen between the parties in relation to the delays in construction and various technical issues relating to the

construction and operation of a power plant. Consequently, the Respondent served a 'notice of dispute' against the Appellant and

initiated arbitration proceedings by its Notice of Arbitration. As per the agreement between the parties, the Governing Law was English Law and the arbitration was to be decided in accordance with the Indian Arbitration and Conciliation Act. The “seat” of arbitration was India though the “venue” was determined to be in Singapore.

On 17.11.2020, the Arbitral Tribunal issued a corrected award under Section 33 of the Arbitration and Conciliation Act, 1996 wherein it awarded an amount of approximately Rs.1100 crores to the Respondent. The Arbitral Tribunal issued the final award dated 24.6.2021 on the issues of interest and costs. The present Appellant preferred a petition under Section 34 of the Arbitration and Conciliation Act against the aforementioned award as well as moved an application requesting a stay against the aforementioned award on multiple grounds before this Court. The same was registered as ARBP (ICA) No.1 of 2021. The District Court dismissed the petition and thereafter an appeal under section 37 of the Act was filed.

The Appellants contended that Tribunal erroneously held that the Appellant is estopped from seeking enforcement of contractual notice provisions relying primarily upon an equivocal e-mail communication without appreciating the context in which it was sent. Thus, it is argued that the finding of the Tribunal that compliance with the contractual notice was waived with effect from March, 2012 is contrary to law. While dealing with the issue, the Tribunal has treated the parties unequally by applying a different standard to each of the parties by disallowing the Appellant’s counter-claim amounting to more than Rs.150 crores approximately at the threshold; on the basis that the Appellant had failed to serve notice even though such claim for default arose after March, 2012. Thus, by rejecting the claim of the Appellant in its counter-

claim and allowing the same in favour of the Respondent, the total impact was approximately Rs.300 crores on the Appellant.

The Respondent contended that interference of the arbitral award on the ground of patent illegality is not available in an international commercial arbitration in view of Section 34(2) of the Arbitration Act. Referring proviso to Section 34(2A) of the Arbitration Act, it is submitted that even a domestic award shall not be set aside merely on the ground of erroneous application of law or by re-appreciation of evidence. Thus, the merit of international commercial arbitral award is completely beyond the scope of challenge under Section 34 of the Arbitration Act. It was further submitted that the Tribunal in its finding of waiver and estoppel has limited the scope of applicability of waiver and estoppel to notices arising out of delays and costs, and not to all the notices required as per the terms of the Agreement. The Respondent further contended that the Tribunal has adhered to the principles of equity enshrined in the Indian Contract Act and correctly held that there was estoppel by conduct limited to notices arising out of delays and costs.

With respect to the issue of Tribunal’s interpretation of contractual provisions, this Court held that in this case the Tribunal has chosen to completely ignore the existing mandatory terms of the contract. In doing so, the Tribunal has effectively rewritten the contract; altering its very nature which it is not permitted to do for it is a creature of the same contract. Furthermore, as the law stands today, it is the exclusive domain of the arbitrator to interpret the contractual provisions or construe the facts of the case in a certain way. However, while arriving at such a decision, the arbitrator is not permitted to travel beyond the four-corner of the contract.

With respect to the issue of estoppel, this Court held that issuance of notice was a condition precedent. There was a 'No Waiver clause' in the agreement between the parties. The said clause, as other clauses of the agreement, could only be amended upon following the procedure laid down in Clause 25.5.3 of the Agreement. The said procedure having not been followed, the conduct of the parties also does not show that there was an intention to waive off the requirement of issuance of notice as they had adhered to the requirement on multiple occasions thereafter. Therefore, no reasonable man could have come to the conclusion that the Appellant had by its conduct attempted to waive of the requirement of issuance of notice and, therefore, it was estopped from claiming otherwise.

With respect to the issue of dismissing of section 34 petition at the stage of admission, this Court

held that when a petition under Section 34 is dismissed at a preliminary stage, i.e. at the stage of admission, the grounds are usually limited to delay or jurisdiction. In the present case, the Single Judge has partially considered the case on merits but dismissed the matter at a preliminary stage. The Tribunal's interpretation of the contractual provisions vis-a-vis Respondent's entitlement of delay related damages for prolongation and disruption costs in contravention of the express terms of the contract, and its ascertaining that the agreements excluded the common law right of termination, are in gross violation of the terms of the contract entered into by the parties themselves. The Arbitral Tribunal has not only ignored the express terms of the contract to arrive at its findings; but it has also rewritten certain clauses thereby grossly exceeding the scope of its jurisdiction. This Court therefore allowed the appeal.

**Jindal India Thermal Power Ltd. v. Quartz Infra and
Engineering Pvt. Ltd., Bhanjara Hills, Hyderabad**

Case Number: ARBA No.4 of 2021

Date of decision: 3rd July 2023

**Scope of interference of Court in arbitral award is limited and it can disturb
findings of the arbitrator only if there is error apparent on the face of record.**

In this case, disputes arose between the parties when the present Appellant terminated the aforementioned contracts on 16.2.2013 and further encashed the Bank Guarantees furnished by the Respondent Company between December, 2012 and January, 2013. The Respondent Company contended that the delay in performance was triggered due to hindrances and obstructions for which the Appellant was responsible, and therefore invoked arbitration. In the course of 55 sittings, the Arbitral Award was passed by Justice SB. Sinha (Retd.) and Shri P.S. Rao whereas Justice R.C. Chopra (Retd.) passed a dissenting

opinion on the same day. The Ld. Tribunal in its majority award awarded Rs.9,71,06,938/- in favour of the present Respondent including their interest on the awarded amount at the rate of 12% per annum. It has been further directed that if the payment is not made within one month from the date of the award, the present Appellant would be liable to pay interest at the rate of 18% per annum till the date of actual payment. Aggrieved by the arbitral award, the present Appellant challenged the Award the District Judge, Angul on various grounds in a petition under Section 34 of the Arbitration and

Conciliation Act which was ultimately dismissed by the District Judge.

The Appellant contended that the refusal of the Tribunal to entertain the application filed under Section 27 of the A&C Act (to call upon additional witnesses) was a breach of the principles of natural justice. The same is contended to have seriously aggrieved the present Appellant, who submits that such denial resultantly disallowed them from bringing some relevant material evidence on record. The Respondent contended that the scope of interference of this Court in an application under Section 37 of the Arbitration and Conciliation Act is extremely limited and this Court cannot reappraise evidence at this stage, therefore his Court may not revisit the factual findings of Tribunal apart from testing the same on the mantle of reasonableness.

This Court held that when the Arbitral Tribunal has thoroughly evaluated the materials and evidence presented to them, the court, when considering objections under Section 34 of the Arbitration and Conciliation Act, does not act as a court of appeal and is not required to reexamine all of the evidence or the parties' case on merits. An award made by an Arbitral Tribunal cannot be revoked on the ground that another viewpoint is conceivable in the court's eyes. In these cases, the court's responsibility is to determine whether the Arbitral Tribunal's point of view on the relevant facts, pleadings, and evidence is a reasonable one. The court should be reluctant to intervene even if, after considering the objections under Section 34, it is determined that there were two possible assessments of the material and that the Arbitral Tribunal had taken one route instead of the other.

The scope of interference of this Court being very limited, this Court would not be justified

in reappraising the material on record and substituting its own views in place of the arbitrator's view. Where there is an error apparent on the face of the record or if the arbitrator has not followed the statutory position, then and then only would it be justified for this Court to interfere with the award published by the arbitrator. Once the arbitrator has applied his mind to the matter before him, this Court is not permitted to reappraise the matter as if it this were an appeal and even if two views are possible, the view taken by the arbitrator would prevail.

This Court also observed that the Arbitration and Conciliation Act does not provide for a dissenting award. It only prescribes the form of an award. The "Operative Part of The Award", signed by all three members of the Arbitral Tribunal, which states that "The decision of the Arbitral Tribunal by the Majority of the Members shall be treated to be the Award of the Tribunal in terms of Section 29(1) of the Arbitration and Conciliation Act, 1996" shows that the majority award fulfills the requirements of a valid Arbitral Award as envisioned in the Arbitration and Conciliation Act. The dissenting award referred to by the Appellant or the dissenting procedural orders are at the end of the day merely dissenting opinions and can only be used to buttress the submissions, but not to conclusively justify findings. The parties are bound by the findings that the majority award arrives at and the Court in an appeal against the arbitral award only has to consider those findings and their reasonableness. There could be various perspectives on a given set of facts, but the court only needs to assess whether the majority award's interpretation of the facts was reasonable, fair, and justifiable, supported by sound reasoning. Accordingly, this court rejected the appeal.



JUSTICE
SAVITRI RATHO

Bimal Kumar Agarwalla v. State of Odisha & Anr. and batch

Case Number: CRLMC Nos. 1922, 1924 and 1925 of 2023

Date of decision: 3rd May, 2023

Court must be satisfied of non-execution of bailable warrant and non-cooperation of accused in the Court proceedings before issuing non-bailable warrants.

In this case, the petitioners had challenged the order of issuance of Non-bailable Warrant (NBW) against them without calling for a report from the police the reason for non-execution of the bailable warrants and without recording his/her satisfaction that the petitioners were avoiding to appear before the Court. This Court relied on *Raghunath Das vs Hari Mohan Pani* (1988) 1 OCR 136 and clarified that the matters of issue of bailable or non bailable warrant and representation of the accused is between the accused and the Court and the complainant need not be heard.

This Court held that in view of its disastrous consequences on the personal liberty of an individual, NBW should not be issued

mechanically. Article 21 of the Constitution imposes a duty on the Courts to protect the liberty of the citizens. So the Court should be extremely cautious while issuing NBW and should do so only after considering the totality of the facts and circumstances and only after the Court is fully satisfied that the accused is avoiding the Court's proceeding intentionally.

This Court also held that the impugned order does not reveal that the S.D.J.M. had received or called for any report from the police regarding non-execution of the bailable warrant. Nor does the order reveal that the learned S.D.J.M. was satisfied that the accused was avoiding the Court's proceedings intentionally. The impugned order issuing NBW was set aside.

Khagendra Sethi v. Smt. Arnapurna Sethi & Anr.

Case Number: MATA No. 20 of 2017

Date of decision: 17th May 2023

Coram: Former Chief Justice S. Talapatra, Justice Savitri Ratho

Court cannot dismiss suit on the basis of an admission made in an earlier case merely basing upon photocopy of plaint and without calling upon original case records.

In this case, this Court examined whether the learned trial Court was justified in dismissing

the suit basing on the alleged admission of the Appellant in an earlier proceeding i.e. C.P.

No.1056 of 2010 filed by him, by relying on Photostat copies of documents filed by the Respondents.

This Court held that the settled proposition of law is that the admission which is clear, unequivocal and unconditional may entitle the plaintiff or defendant to a judgment based on such admission. But this admission has to be unequivocal. If this is so, the defendant should not be relegated to the rigors of a long drawn trial. As per the provisions of Order 12 Rule 6 of the CPC, a suit can be dismissed on the basis of admitted facts, admitted documents and admitted pleadings. Order 12 Rule 6 of the CPC can therefore be resorted to by a defendant for the dismissal of the suit on the basis of admitted averments.

This Court further held that “Admission” has not been defined in the CPC but Section-17 of

the Indian Evidence Act defines admission to be a statement made in the oral, documentary or electronic form suggesting an inference to a fact-in-issue or relevant fact. Section 58 of the Indian Evidence Act provides that where a fact has been admitted by the parties or their agents, there would be no requirement to prove such facts. However it has to be proved before the Court that such fact has indeed been admitted and the proviso to the Section gives a discretionary power to the Court to require such admitted facts to be proved by other means.

This Court further held that without calling for the original case record or the certified copies of the plaint and order, the Court on perusal of the photocopies of the plaint in the earlier case - C.P.No.1056 of 2010 / C.P.No.136 of 2013, has dismissed the suit. The dismissal was set aside.

M/s. JSW Steel Ltd. v. Micro and Small Enterprises Facilitation Council & Ors.

Case Number: W.A No. 601 of 2022

Date of decision: 29th September 2023

Coram: Former Chief Justice S. Talapatra, Justice Savitri Ratho

Liberal interpretation cannot be given to the definition of ‘small enterprise’ under the MSMED Act.

The writ application filed by the Appellant challenging the award passed by the Micro and Small Enterprises Facilitation Council, Cuttack directing the Appellant to pay the principal amount of Rs 1,00,57,533.32 and interest claim of Rs 4,03,10,934.91 calculated upto 31.12.2014 with compound interest with monthly rests at the rate of 3 times of the bank rate as notified by the Reserve Bank of India till realization of dues, had been dismissed by the learned Single Judge. Writ Appeal had

been filed against the order passed in the writ petition. Allowing this Writ Appeal, this Court held that the purpose and objective of the MSMED Act would be defeated if each unit of an enterprise or company like Respondent No.2 is taken to be a separate enterprise for the purpose of maintaining a claim under Section 18 and that it would not be in the interest of justice to give a liberal interpretation to the definitions of “supplier” and “small enterprise”. This Court further held that the four units of the

Respondent No.2 constitute a single enterprise and in view of the total value of the investment towards plant and machinery for the relevant years, the classification of Respondent No.2 cannot be “small enterprise” for the purpose

of maintaining the claim under Section 18, for which the impugned award is liable to be set aside as it is without jurisdiction. The Judgment in the writ petition was set aside.

Pradyumna Kumar Patra & Ors. v. State of Odisha and Ors. and batch

Case Number: W.P.(C) No. 15738 of 2022 and batch

Date of decision: 1st May 2023

Coram: Former Chief Justice S. Talapatra, Justice Savitri Ratho

Requirement of consultation with State Public Service Commission under Article 320(3) of the Constitution is not an empty formality.

The common grievance of the petitioners in the writ petitions was the substitution of the method of selection contained in Rule 7 of the Odisha Engineering Service (Method of Recruitment and Condition of Service) Rules, 2012 by Rule 4 of Odisha Engineering Service (Methods of Recruitment & Conditions of Service) Amendment Rules, 2021. Through this amendment, marks awarded for career marking, written test and vive voce had been substituted by the highest GATE Score obtained in the last three years, preceding the advertisement.

This Court held that there is no gainsaying that the State Government is within its power under Article 309 of the Constitution of India to prescribe the procedure for recruitment to the post of Assistant Executive Engineer and consequently amend the OES Rules 2012 which have been framed for this purpose. But the Rules so framed have to withstand the test of arbitrariness and rationality besides being transparent on the procedure. In this case the OPSC, which was consulted by the Government in accordance with Article 320 (3) of the Constitution had expressed its reservation regarding the advantage and purpose of the proposed amendment to Rule 7 of the OES 2012 Rules. But while amending the OES Rules 2012, the provisions of Article 320 (3) of the

Constitution and the Rules of Business have been given a go by. It is the admitted case that the OPSC has been consulted and it did not agree to the part of the proposed amendment relating to Rule 7. But the consultation with OPSC has been made an empty formality and short shrift has been made of its advice. Although the OPSC has consistently expressed its reservation to amendment of Section 7 of the OES Rules 2012 by substituting Rule 7 (2) and 7 (3), method of selection by replacing the marks awarded for career, written examination and vive voce with GATE scores, this had not been brought to the notice of the Cabinet. The Cabinet has been misled that the OPSC has given its concurrence to such amendment. This is in contravention to the procedure laid down in the Rules of Business and Instructions for carrying out the Rules of Business. This contravention amounting to suppression has vitiated the process of consultation adopted for carrying out the proposed amendment of Rule 7. Rule 4 (i) and Rule 4 (ii) of the Amendment Rules 2021, amending Rule 7 (3) and 7 (4) of the OES Rules 2012 was held to be illegal and struck down and consequently, the impugned advertisement having prescribed the highest valid GATE scores of the preceding three years to be the basis of selection, was quashed.



SHRI JUSTICE
MRUGANKA SEKHAR SAHOO

Sangadi Sania v. State of Odisha

Case Number: JCRLA No. 34 of 2005

Date of decision: 2nd August 2023

Coram: Justice Biswanath Rath, Justice M.S. Sahoo

The Court converted the conviction of the appellant from murder to culpable homicide not amounting to murder as he did not take 'undue advantage' of the situation.

The appellant challenged the order of conviction dated 3.4.2003 passed by the learned Adhoc Addl. Sessions Judge, Jeypore finding him guilty of committing offence punishable u/s.302 of the IPC. The case of the prosecution was that the accused Sangadi Sania and deceased Gumuraballi Sukra had prior enmity. On 21.07.2000 at 8.00 P.M. in the night, while the deceased and his wife were in their house, the accused came there and called the deceased by saying "Samudhi-Samudhi" and when the deceased came out of the house being followed by his wife, the accused all on a sudden dealt stab blows by a knife on the chest and belly region of the deceased and fled away from the spot. The deceased cried/shouted, as a result of which, the neighbours P.Ws.3 and 4 rushed near him but the deceased immediately fell down on the ground and died at the spot.

The Appellant contended that the evidence adduced by the eye witness is contradictory to the statement made by P.Ws.3, 4 and 5. There is apparent contradiction in the deposition

of P.W.3 and P.W.4, who were admittedly post occurrence witnesses. He has further contended that the statement of P.W.5, who is the son of the deceased also creates doubt in the veracity of the evidence adduced by P.W.2 (eye witness). In face of so many contradictions in the statement of witnesses, a conclusion cannot be definitely arrived at that the appellant is the author of the crime. The witnesses were not examined by the prosecution during trial to substantiate the recovery of the weapon of offence.

This Court held that evidence of P.W.2, though has some minor contradictions, remains unimpeached. The deposition of the eye witness cannot be invalidated on the basis of minor contradictions. In view of the law laid down by the Supreme Court in *Shahajan Ismail Mohd. Shaikh v. State of Maharashtra* 2022 SCC OnLine SC 883 in absence of recovery of weapon the appellant can be convicted on basis of testimony of P.W.2.

The further issue before the Court was whether the manner in which the entire incident of

assault on the deceased took place, would amount to culpable homicide amounting to murder or culpable homicide not amounting to murder. This Court observed that as per the FIR and evidence of P.W.2 there was no premeditation on the part of the appellant-accused. The nature of weapon used had not been proved before the trial court in proper perspective inasmuch as recovery of the knife and its further use, though was suggested to be the weapon, was not proved by the prosecution. Further, the medical opinion and forensic examination report did not support

prosecution case regarding use of knife. As per the evidence adduced by the prosecution, the motives like revenge, greed, jealousy or suspicion were absent on part of the accused. It could not be inferred from the evidence relied on by the prosecution accepted by the learned trial court, that the appellant-accused while inflicting the injury has taken undue advantage or has acted in a cruel and unusual manner. Accordingly, this Court held that the appellant would be entitled for acquittal under Section 302 IPC but would be liable to be convicted under Section 304 Part I of IPC.

Smt. Urmilla Sahu & Ors. v. Sri Santosh Kumar Sahu

Case Number: MATA No.3 of 2019

Date of decision: 25th August 2023

Coram: Justice Biswanath Rath, Justice M.S. Sahoo

Physical, moral and ethical values to be considered while determining 'welfare' of a minor child for granting custody under Hindu Minority & Guardianship Act.

The appellants before the Court challenged the judgment and order dated 21.11.2018 passed by the learned Judge, Family Court, Berhampur in Civil Proceeding-C.P. No.271 of 2015. The proceeding was filed under Section 6 of the Hindu Minority and Guardianship Act, 1956 by the present respondent-father of the minor girl child, seeking custody of the girlchild who has been staying with her maternal grandmother and maternal uncles, in particular the respondent no.2 and his wife. The wife of respondent died, allegedly, by committing suicide in the house of the respondent. Regarding the future prospect and maintenance of the minor girl child, it was unanimously decided by the family members and other local gentries known to both the parties, to let the child remain in the custody of appellants, who are maternal

grandmother and maternal uncles of the girl child, in terms of a written document dated 04.10.2011, by incorporating some terms and conditions therein.

The appellants contended that after death of the mother of the child at the house of the respondent, respondent has never visited the girl child nor has ever paid a single farthing in favour of his daughter. The terms of agreement for welfare of the girl child dated 14.10.2011 has not been complied with by the respondent. The appellants have complied the terms of agreement in the interest of the girl child by executing a gift deed giving land Ac.0.023.

Defending the judgment and order of the learned Judge, Family Court, the respondent-petitioner submitted that he approached the appellants on several occasions to return the

minor daughter to his custody. The respondent-petitioner being the father as well as the natural guardian of the girl child not having been successful in getting custody, filed application under Section 6 of the Act, 1956 seeking custody of the child.

This Court held that in selecting proper guardian of a minor, the paramount consideration should be the welfare and well-being of the child; in selecting a guardian, particularly of a minor girl child, this court is exercising parens patriae jurisdiction and is expected nay bound, to give due weight to a child's ordinary comfort, contentment, health, education, intellectual development and favourable surroundings. But over and above physical comforts, moral and ethical values cannot be ignored. They are equally, or even more important, essential and indispensable considerations.

Some of the factors those have been taken into consideration by the Court in deciding

the custody of the minor girl child are :

stability and consistency in the affairs and routines of the child and any dislocation may cause emotional strain to her as she has been with the appellants since the age of 18 months as an infant; marked eagerness in the child to continue to stay with appellant no.2-respondent and his wife and their children (her siblings) and lack of any inclination to go to the custody of respondent-petitioner; no material was brought before the learned Family Judge to change the custody apart from the fact that the respondent being the father is the natural guardian; it is admitted by the respondent that he never had custody of the child since she was an infant of 18 months and the child grew up remaining in custody of maternal grandmother, maternal uncle and their family; and, the consideration that the custody of the child should not undergo an immediate change has to prevail in the facts and circumstances of the case.

**Executive Engineer, Electrical (TPNODL), Balasore Electrical
Division-II, Balasore v. M/s. Raj Complex, Balasore & Ors.**

Case Number: W.P.(C) No.11396 of 2019

Date of decision: 1st May 2023

Coram: Justice Biswanath Rath, Justice M.S. Sahoo

**The Court ought to be slow in interfering with the orders of expert bodies like
Ombudsman, OERC and GRF unless found arbitrary or ex facie illegal.**

In this case, the opposite party no.1, the consumer of electricity under the distribution licensee (NESCO Utility) entered into an agreement for supply of electricity since February, 2014 with a contract demand 24 Kilo Watts (KW) in General Purpose (GPS) tariff category through a transformer rated 63 Kilo Volt Ampere (KVA) installed by the consumer with 11 Kilo Volt (KV) supply. The

licensee installed a LTCT meter and billed the consumer on the basis of LT tariff determined by the OERC. The consumer filed the Consumer Complaint (CC) No.165 of 2018 under Section 42(5) of the Electricity Act read with relevant provisions of the OERC Distribution (Conditions of Supply) Code, 2004 before the Grievance Redressal Forum (GRF). In the said complaint, the consumer detailed the nature of electricity

supply availed and the electrical equipments installed, for such supply the consumer referred to the tariff order of the Financial Year 2005-06 of the OERC. The consumer specifically stated that it had deposited Rs.4,12,055/- towards the capital work of distribution licensee to provide electricity. The GRF held in favour of the consumer.

As the distribution licensee did not implement the order passed by the GRF, as per the mandate of the statute within 30 days, the consumer filed Consumer Representation (C.R.) Case No.41 of 2018 invoking the jurisdiction of the Ombudsman-II, OERC under Section 42(5) of the Electricity Act, 2003 read with OERC Code, 2004 seeking direction for implementation of the order passed by the GRF and issuance of a revised bill by the licensee to the consumer. The Ombudsman upheld the order of the GRF.

This Court held that the matter does not involve any substantial question of law. Apparently, after the order passed by the GRF was not complied within 30 days and the licensee did not challenge the order of the GRF, the consumer moved the Ombudsman for implementation of the order of the GRF. Thereafter, in absence of any challenge to the order of the GRF, the Ombudsman directed for implementation of the order of GRF. Only thereafter, the licensee has chosen to challenge the order of the GRF by filing the writ petition. This Court further

held that though the licensee has challenged the order passed by the GRF in the present writ petition filed on 22.07.2019, the licensee in its written reply dated 05.12.2018 before the Ombudsman (as it had not challenged the order of GRF till then) stated and admitted to have implemented the order passed by the GRF to the extent having stopped to collect the transformer loss with effect from 22.08.2016 from the second connection and give adjustment in the energy bill that was annexed marked as Annexure-1 to the reply before the Ombudsman. Further, the licensee stated and conceded before the Ombudsman in its reply, that it would to refund cost of metering unit and HTTV meter of Rs.32,796.07.

Placing reliance on the principles enunciated laid down in *MSEDCL v. APML & Others* 2023 SCC Online 233, it was held that Court has to be slow in interfering with the findings given by an expert body like Ombudsman-II, OERC and GRF, unless it is found that the expert body has failed to take into consideration the mandatory statutory provisions of the decision taken is based on extraneous considerations or it is ex-facie arbitrary and illegal. This Court held that the Ombudsman had correctly observed that it is not permissible under the existing statutory provision including the OERC (GRF & Ombudsman) Regulation, 2004 for the licensee to choose to partly implement the order and not to implement another part.

D.I.G. (P), C.R.P.F. & Anr. v. Narayan Chandra Mohapatra

Case Number: W.A. No. 601 of 2021

Date of decision: 3rd February 2023

Coram: Justice Jaswant Singh, Justice M S Sahoo

The Court set aside punishment imposed upon an army man for inadvertently not recognizing and pointing loaded weapon towards visiting officers.

In this case, the appellants (Deputy Inspector General, Central Reserve Police Force (CRPF), Allahabad and the Commandant, 93 Battalion

(Bn for short) Central Reserve Police Force, Lamphelpat, Imphal, Manipur) challenged the judgment and order dated 19.02.2021 passed

by the learned Single Judge allowing the writ petition: W.P.(C) No. 8777 of 2007 filed by Respondent, whereby part of the order treating the period from 11.04.1999 to 07.11.2006 as “dies non” has been set aside and arrears of salary has been granted for the said period.

Brief facts of the case is that the respondent was on the sentry Guard duty at Morcha No.8 from 1800 hours to 2030 hours on 09.11.1998 when it was raining. There was darkness affecting the visibility making it difficult to recognize the persons approaching him. The appellant challenged the visiting persons and asked them, as per procedure, for password etc to establish their identity, the officer in front of the visiting party was unable to answer to any of the queries of the respondent. Thereafter, faced with such a situation, respondent came out of “Morcha”, loaded his weapon, pointed towards visiting officers approaching him. At that point of time one of the members of the visiting party, namely Head Constable Gulab Singh (P.W.4) disclosed his identity, the respondent unloaded his rifle, immediately apologized and went back to Morcha No.8.

This Court observed that the punishments provided under Rule 27 of the CRPF Act does provide “stoppage of increment” for three years but further deprivation of wages by treating certain period as dies non is not contemplated in the relevant service rules as has been done in the case at hand. The order passed by the learned Single Judge is just and proper and does not require any interference in exercise of the jurisdiction of an intra-court appeal

there being no error apparent on the face of the record.

In the opinion of this Court, the question to be answered is whether a human being of ordinary prudence, how much trained he may be, could have reacted differently to the situations described by the inquiring and appellate authorities, thereby terming the response/behaviour of the respondent to an emergent situation to be misconduct. With that regard, this Court held that the authorities have not delved into such aspect thereby terming the behaviour of the respondent to be misconduct, just by putting the entire assessment of the situation in a straight jacket rendering the assessment very subjective. Further, this Court opined that the framing of charge and the enquiry had failed to take note of the series of serious failure on part of the inspecting party not informing the sentry post regarding their visit in the darkness of a rainy night much after sunset, the visitors not disclosing their identity and password as required when asked by the respondent, coupled with past attack on the unit. Resultantly, the whole chain ultimately triggering the behaviour attributed to the respondent.

This Court further directed that the Respondent-Narayan Chandra Mohapatra should be paid his actual emoluments for the period that was directed to be treated as dies non along with benefits like increments and his salary shall be re-fixed within three months from date of communication of the order.



JUSTICE
RADHA KRISHNA PATTANAİK

Gau Gyan Foundation 'Rudrashram Gaushala' Vrs. The State of Odisha & Anr.

Case Number: CRLMC No. 1192 of 2022

Date of Decision: 7th February, 2023

There is no absolute bar against interim release of seized cattle in favour of accused-owner under the Prevention of Cruelty to Animals Act.

The factual matrix leading to the above litigation is that some cattle were rescued while being transported allegedly for illegal slaughtering without proper care and arrangement of water, food and medical aid. The local police seized the cattle and handed it over to the petitioner, a Gaushala, for immediate care and maintenance as the animals were in an extremely weak and miserable condition.

The accused moved the Court of the SDJM, Bhadrak for interim release of the cattle in his favour claiming himself as its owner. Deciding the application, the SDJM released the custody of the cattle to the accused, which was confirmed by the order of the Sessions Judge, Bhadrak.

It was contended on behalf of the petitioner that the custody of the cattle could not be handed over to the petitioner, rather, it should

have been released for custody by an infirmary, pinjrapole, SPCA, Animal Welfare Organization or Gaushala.

While dealing with such contention, it is observed that the decision with regard to custody of seized animals entirely depends on the conduct and character of the accused and interim custody may be disallowed if the court finds that there is a possibility of further cruelty, in case the animals are handed over to him.

The Court held that discretionary power has been conferred on the Magistrate to deal with release of animals depending on the circumstances of a case and he may even direct release of the cattle in favour of the owner upon satisfaction that such release is unlikely to subject the animals to further cruelty.



Shrikant Mohta Vrs. Republic of India (CBI)

Case Number: CRLMC No. 3407 of 2019

Date of Decision: 30th May, 2023

The Court refused to quash chargesheet against the film-maker for his alleged role in chit fund scam in connivance with Rose Valley Group.

The petitioner, a film-maker approached the Court with a prayer to quash the chargesheet filed against him under Section(s) 409, 408, 420 and 120-B read with Section(s) 4, 5 and 6 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978.

Allegation against the petitioner was that he being the Founder Director of Shri Venkatesh Films Pvt. Ltd. (SVFL) entered into an agreement with Brand Value Communications Limited (BVCL), a sister concern of Rose Valley Group of Companies (RVGC) and assigned it the exclusive broadcasting rights for a period three years on a consideration amount which was partly received from proceeds of chit fund money.

As argued on behalf of the petitioner that it was purely a commercial transaction and the petitioner outrightly denied that he had conspired with the BVCL for promoting the chit fund business floated by the RVGC.

The CBI, on the other hand, alleged that the petitioner was given assurance by the BVCL

that there would be no financial crunch in producing episodes of serials as the RVGC floated the scheme which would enable it to receive perennial public funding. Further, it was alleged that petitioner allowed the BVCL to promote the chit fund business of RVGC through advertisement during intermissions of serials and films. However, the petitioner denied all such allegations and submitted that he had no role in telecasting the advertisements as the TV channel was owned by BVCL and not by him and also contended that a commercial transaction is unnecessarily being given a criminal colour.

After hearing the parties, the Court was of the considered view that a piecemeal trial at this stage would not be in the interest of justice keeping in view the fact that there has been an allegation of criminal conspiracy against the petitioner. Accordingly, it asked the Trial Court to take decision regarding culpability on the part of the petitioner at the appropriate stage.

Smt. Pramodini Sahoo v. State (Vigilance)

Case Number: CRLA No. 100 of 2016

Date of Decision: 30th May, 2023

Notice under Section 14(1) of the Orissa Special Courts Act for confiscation of property can only be issued to 'person affected' and not to 'such other persons' as prescribed in Section 14(2).

The appellant challenged the order passed by the Authorized Officer, Special Court, Bhubaneswar in a proceeding initiated under Section 13 of the Orissa Special Courts

Act, 2006 for confiscation of the schedule properties, whereby, an application to drop the confiscation proceeding was declined.

It was argued on behalf of the appellant that a notice under Section 14(1) of the Act could not have been issued to her as she does not come under the definition of 'person affected', rather, fits into the meaning of 'such other person' and therefore, the notice should have been issued under Section 14(2) of the Act.

The Court held that the proceeding under the Act is an action meant for confiscation of the assets acquired by any person illegally with a notice to him and a copy thereof served upon others, who holds any such assets on his behalf and observed that the notice is issued to the person affected in Form No. II as per Rule 13(2) of the Rules and no separate form is prescribed for 'such other person' under the Rules since a copy of the notice issued to the 'person affected' is only served upon in accordance with the Act, so therefore, Annexure-7, though a form meant for opposite party No.1 but for all

intents and purpose is essentially a compliance of Section 14(2) of the Act.

The Court further held that the appellant may be proceeded with even though she is not a public servant or criminally prosecuted under the Prevention of Corruption Act but considering the very purpose and scheme of the Act, the contention of the appellant cannot be accepted to scuttle the proceeding against her on such a ground.

Further, it was held that the action is fundamentally for confiscation of the proceeds of the crime, hence, the issuance of notice to the appellant is to be read as and with reference to compliance of Section 14(2) of the Act. The Court finally concluded that the appellant is to be treated as 'such other person' and not a 'person affected' for the purpose of the action under the Act.

Adarsha Pathagar v. The Manager (TS) Land, Rourkela Steel Plant & Ors.

Case Number: W.P.(C) No. 9076 of 2021

Date of Decision: 2nd September, 2023

Renewal of lease deed connotes entering into a fresh agreement and therefore, rents/charges on old rates cannot be demanded while seeking it.

The petitioner 'Adarsha Pathagar' filed the writ petition challenging the initiation and continuance of the eviction proceeding against it under the Odisha Public Premises (Eviction of Unauthorized Occupants) Act, 1971.

The petitioner had got the land on lease from opposite party No.1 in 1974 for 30 years. The lease period came to an end in the year 2004, after which, opposite party No.1 asked the petitioner to enter into a fresh lease on revised rates. The recommendation made by the Sub-Lease Committee in this respect received the

Government approval subject to the condition that the petitioner clears the arrears.

It was argued on behalf of the petitioner that opposite party No.1 has put up unreasonable terms and conditions since has been asked to enter into a fresh lease on revised rates. Further, it was contended that the eviction proceeding initiated against the petitioner is illegal.

The Court referring to the ruling of the Apex Court in the case of Ashoka Marketing Ltd. & Another Vrs. Punjab National Bank & Others

(1990) 4 SCC 406, wherein, the meaning of 'unauthorized occupation' was elucidated. Having regard for the observations made therein, the Court held that the petitioner has been unauthorizedly occupying the disputed land as the lease was never renewed after its expiry in 2004 and therefore, initiation of eviction proceeding was held to be in accordance with law.

The Court also held that renewal of the lease deed connotes initiation of a fresh agreement and not merely the extension of the old

one. Therefore, it opined that when a fresh agreement is sought to be made on renewal, the petitioner cannot demand the same to be executed as per the old rates.

Resultantly, the parties were asked to enter into a fresh lease deed and it was made clear that the same cannot be objected or opposed to by the petitioner by not accepting the terms. At the same time, liberty was granted to the parties for reaching at a consensus on the charges leviable for the sub-lease to be freshly executed.



Gond painting displayed in Judges' Lounge



JUSTICE
SASHIKANTA MISHRA

A. Sk. Hussain & Ors. v. State of Odisha

Case Number: CRLMC No. 3703 OF 2022

Date of decision: 19th May 2023

**Arrest is complete when detention is effectuated and not necessarily
at the time which is mentioned in the arrest memo.**

In this case, the Petitioners are accused persons in Special Case No.280/2022 arising out of Sahadevkhunta P.S. Case No.352/2022 of the Court of learned Special Judge, Balasore under Section 21(c)/29 of the N.D.P.S. Act. Four packets containing 1101 gram of brown sugar was recovered from the petitioners, which was seized. After completion of the necessary formalities, the Petitioners were arrested and taken to the Police Station. The petitioners had filed a petition alleging therein that the Petitioners were not produced before the learned Special Judge within 24 hours of their arrest. It was also alleged that they were actually arrested between 5.40 P.M. to 6.20 P.M. during which time the seizure lists were prepared and thereafter they were kept in Sahadevkhunta P.S. However, they were forwarded to the Court of the Special Judge in his residential office after 11 P.M. on the next day. As such the statutory requirement of producing the arrested accused before the Court within 24 hours was clearly violated. On such grounds it was pleaded that the accused persons should be released on bail having regard to the provisions of Sections 57

and 167 of Cr.P.C. read with Article 22 of the Constitution of India.

The Special Judge heard the petition and after considering the rival contentions, held that there is no cogent material on record to show that the accused persons were detained in police custody for more than 24 hours from the time of their arrest.

The petitioner contended that the Petitioners must be deemed to have been arrested, the moment they were apprehended and searched. Referring to the F.I.R. and other connected documents. It was contended by Mr. Dhal that the relevant time for consideration would be 5 P.M. i.e. the time when the Petitioners were apprehended since they lost their right to go wherever they pleased from that moment onwards. Mr. Dhal further contends that preparation of the arrest memo is just a formality having no bearing on the actual time of arrest. On the other hand, the State Counsel contended that the initial detention of the Petitioners by the Police for the purpose of search and seizure etc. cannot be treated

as arrest and that arrest must be held to have been effected only when they were formally arrested and the memo of arrest was prepared.

This Court firstly clarified that the moment the Petitioners were apprehended, they lost their liberty inasmuch as they could not leave the place any more having come under the control of the Police party. Placing reliance on of Directorate of Enforcement v. Deepak Mahajan, reported in 1994 SCC Cri 785 and Prabir Kumar Das v. State of Orissa; reported in 2007 (38) OCR 585, this court held that the moment the liberty of a person is curbed or curtailed, he is said to be under arrest. Thus, there can be no manner of doubt that the Petitioners having been apprehended around 5 P.M. or thereabouts must be deemed

to have been arrested at that time.

This Court accordingly held that mere mentioning of a different time in the memo of arrest prepared subsequently, in the present case nearly 6 hours after the apprehension of the petitioners, cannot have any relevance whatsoever more so as it only serves to formalize the arrest already effected long back. As stated earlier, the Police Officer concerned was under Constitutional obligation to forward the Petitioners to the Court of Special Judge within 24 hours, but this Court finds that the Constitutional provision was seriously violated, for which the entire period of detention has to be treated as illegal.

Latika Kar & Ors. v. State of Odisha & Ors.

Case Number: RSA No. 88 of 2013

Date of decision: 13th December 2023

Intention of parties must be considered while ascertaining nature of disposition of property, i.e. lease or license.

In this case, the appeal was directed against the judgment dated 02.02.2013 passed by learned District Judge, Khurda in RFA No. 37 of 2008, whereby the judgment passed by learned 2nd Additional Civil Judge (Sr. Division), Bhubaneswar in Title Suit No. 119/440 of 2005/1997 on 24.05.2008 was confirmed. The plaintiffs of the said suit are the appellants before this Court. The suit was originally filed by one Sankar Kar and Gourkrushna Kar for declaration, correction of record of right, confirmation of title and permanent injunction in respect of the suit land.

The case of the plaintiffs, briefly stated, is that one Nabakrushna Kar was settled with an

area in Mouza-Badagada as per order dated 06.09.1934 in case No. 8/33-34 on payment of rent. Nabakrushna died leaving behind the plaintiffs and other children, who possessed the same as per mutual partition among them. During pendency of the suit, Sankar Kar died leaving behind his widow and sons, who were substituted in his place. It is claimed that the plaintiffs are enjoying the suit property with right to repair and maintain the same at their own cost by keeping the tank clean for the purpose of bathing, drinking, irrigation etc. and by constructing a temporary structure over the same. The suit tank was however, recorded in the name of the Government in G.A. Department in current settlement as Plot

No. 1680 and 1071 with a reduced area of Ac.1.135 dec. The plaintiffs filed a revision before the Commissioner, Settlement and Land Records bearing Revision No.815/91, but the same was withdrawn and thereafter the suit was filed.

The defendants, on the other hand contested the suit challenging its maintainability, inter alia on the ground of limitation. It was stated that the plaintiffs have no manner of right, title and interest over the suit land and the G.A. Department being the lawful owner, the ROR was rightly published in its name. In the 1988-89 settlement ROR, a note of illegal possession by the plaintiffs was recorded but the same is without jurisdiction and not binding on the defendants. A case for eviction being, O.P.P. Case No. 983 of 1999 was initiated against the plaintiff for eviction and by order dated 31.05.2002, the Estate Officer directed the plaintiffs to vacate the suit land. It is further stated that the revision petition was filed after the statutory period of limitation and the plaintiffs having come to know that they have no possession and title over the suit land withdrew the same and filed the suit to grab the suit land.

After scanning the oral and documentary evidence, the trial was of the view that the suit land was given in favour of Nabakrushna Kar for a limited purpose namely, to look after the tank and to clean the same at his own cost for the purpose of use of the villagers. As such, the claim of title by the plaintiffs over the suit land merits no consideration. As regards limitation, the trial Court held that the ROR was published in the year 1988-89 but the suit was filed in the year 1997, i.e., after a lapse of 9 years. As

such, the suit is barred by limitation. On such findings on the pivotal issues, the other issues were also answered against the plaintiffs to the extent that the plaintiffs having claimed possession on the basis of the note in the ROR are deemed to have accepted the title of the defendants and therefore, do not have a better title than the defendants over the suit land in order to claim the relief of injunction. On the above findings, the suit was dismissed. On appeal, the District Judge also concurred with the finding of the trial Court.

This Court firstly clarified that it has been specifically contended that the plaintiffs are not claiming title over the suit property but their prayer is for correction of record of right simpliciter along with declaration of right of user. The filing of the revision and its subsequent withdrawal by the plaintiffs cannot have any bearing on the present case since the suit was filed on the same prayer i.e., correction of record of right. Both the Courts below have held and according to this Court, rightly so, that in so far as the relief for correction of record of right is concerned, the suit is clearly barred by limitation having regard to the provision under Article 58 of the Limitation Act read with Section 42 of the Orissa Survey and Settlement Act. This Court further held that merely because the plaintiffs claim to be in possession for a long time and also paid rent till about 1997 cannot transform the licence granted to their predecessor-in-interest into a lease as such possession is not exclusive to them. The Lower Appellate Court has examined the evidence to be convinced that mere conferment of right of user does not make it a permanent lease regard being had to the right of the public also in the property. This Court accordingly upheld the order of the lower court.

Pradeep Kumar Dhal v. State of Odisha & Ors.*Case Number: W.P.(C) No. 3150 of 2020 and batch**Date of decision: 26th April 2023***Christ College, Cuttack held to be a 'minority institution' under the Odisha Education Act, 1969.**

In this case, the issue brought before the Court was whether Christ College, Cuttack is a minority educational institution within the meaning of Section 2 of the Odisha Education Act, 1969 (in short the "Act, 1969") is the preliminary question to be determined in all these writ applications. The other question to be determined was whether these writ applications would be maintainable regardless of the answer to the preliminary question. The petitioners in these writ applications were Staff of Christ College and were aggrieved by action taken against them by governing body of the College.

The stand taken by the Christ College in both these writ applications basically is, it being a minority managed institution, the provisions of the Orissa Education Act, 1969 and Rules framed thereunder are not applicable to it and therefore, the impugned communications made by the Director Higher Education are contrary to the provision under Article 30 of the Constitution of India. On the other hand, it has been argued on behalf of all other petitioners (Staff of the College) that Christ College, Cuttack is not a minority educational institution but an aided educational institution within the meaning of Section 3(b) of the Act, 1969 and therefore, all the relevant rules framed under the Act, 1969 relating to conditions of service of its employees are applicable to it.

This Court held that the status of Christ College as a minority educational institution

was determined long back and recognized by the National Commission in the year 2007. The matter must therefore, be treated as being finally set at rest. Since the competent forum has already given its finding with regard to the status, which has been duly noted by a coordinate Bench of this Court, no further determination is necessary in this regard. Moreover, neither the order of the Commission or of the Director of Public Instruction (Higher Education) (order dtd. 18.03.1983) has been challenged nor is presently under challenge in these writ applications.

It has been further argued on behalf of the petitioners (staff of the college) that notwithstanding the judgment of the Single Judge of this Court as well as the order passed by the National Commission, the Management of the Christ College by its own conduct has proved that it is not a minority institution. In this regard it has been argued that the Management has always subjected itself to the control of the State Government as would be evident from the orders of approval issued by the prescribed authority under Section 7 of the Odisha Education Act and Odisha (Establishment, Recognition and Management of Private College) Rules, 1991 in respect of its governing body. Moreover, it has applied to the prescribed authority for grant of permission and recognition for opening new streams and subjects under Section 5 and 6 of the Act, 1969. The staffs of the College have received grant-in-aid under section 7-C of the Act, 1969 and also UGC scale of pay

for the teachers. All these go to show that the Management of the College does not consider itself as a minority educational institution. On the other hand, it has been argued on behalf of the College that such acts on the part of the Management cannot nullify its status as a minority institution which is guaranteed under the Constitution of India.

This Court thus, held that the grievances of the petitioners (Staff of the College) are relatable to contract of personal service and no public

law element is involved therein so that the same could be adjudicated upon by this Court exercising writ jurisdiction under Articles 226 and 227 of the Constitution of India. For the foregoing reasons therefore, this Court holds that Christ College, Cuttack is a minority educational institution within the meaning of Section-2 of the Odisha Education Act, 1969 and further that the grievances of the petitioners (staff of the college) are not amenable to the writ jurisdiction of this Court under Articles 226 and 227 of the Constitution of India.

Prangya Paramita Harichandan v. Orissa University of Agriculture and Technology & Ors.

Case Number: W.P.(C) No.14758 of 2015 and batch

Date of decision: 28th February 2023

‘Horizontal quota’ for a particular social category cannot be filled by candidates belonging to other social category.

In this case, the Petitioner applied for the post of Asst. Professor, Animal Re-production Gynecology as S.E.B.C. category candidate. As per the advertisement, four posts were advertised. When the results were published, her name did not find place in the list. It was found that two male persons were selected under the U.R. category even though one of the posts belonging to such category was reserved for woman. According to the Petitioner, the Opposite Party-authorities followed a wrong procedure by not preparing the select list of all candidates on merit basis at the first instance. As result, Dr. Basanti Jena, who secured 37 marks could have been adjusted against unreserved vacancy for woman and in such event the Petitioner could have been adjusted against the only vacancy available for S.E.B.C.(W) category. The Opposite parties refuted the allegations by stating that the selection of candidates was

made in order of merit in respect of unreserved and reserved categories as per total marks secured by them in the interview. The Opposite Parties have filled up the posts first in merit for S.E.B.C.(W) category candidate and then Unreserved candidates.

The petitioner argued that the methodology adopted by the Opposite Party-authorities is entirely erroneous and contrary to the principles of vertical and horizontal reservations laid down by the Apex Court. Referring to the observations of the Apex Court in the case of Rajesh Kumar Daria v. Rajasthan Public Service Commission and others; reported in (2007) 8 Supreme Court Cases 785, she has argued that the Opposite Party-authorities ought to have prepared a merit list of all candidates and thereafter applied the principle of reservation as per the social reservation quotas. The counsel appearing for OUAT, referred to the relevant clause of the advertisement, which states

that in the event of non-availability of women candidates or insufficient number of women candidates, the male candidates belonging to the particular community may be appointed. In the instant case, Dr. Basanti Jena being a S.E.B.C. (W) candidate was rightly selected for the said category while there were no women candidates in the U.R. category for which the next available male candidate was given appointment.

This Court firstly clarified that the principle of mobility as applicable in case of social (vertical) reservations are not applicable to special (horizontal) reservation. This implies that the special reservations like women etc. have to be confined to their respective social categories. Of course, the procedure to be followed is- first, a merit list is to be drawn up of all candidates irrespective of their categories in the order of merit. The next step would be to fill up the social reservation quota i.e. S.C., S.T., SEBC etc. It is after this stage that the adjustment of special category candidates like women have to be considered against

each social category to see whether the requirement of having a particular number of special category candidates in each social reservation category is fulfilled. If it is found that in a particular category there is a short fall of women candidates, then the requisite number of such candidates shall have to be taken and adjusted/accommodated against their respective social reservation categories.

This Court held that the point of view put forth by the Petitioner would have been acceptable had Dr. Basanti Jena been a U.R. candidate. In such situation, despite scoring less marks than Dr. S.S. Biswal she could have been accommodated against the vacancy of 1 (W) U.R. quota, but Dr. Basanti Jena had applied as a S.E.B.C. candidate and therefore, she can only be considered, in so far as horizontal reservation is concerned against S.E.B.C. category and not any other category. Therefore, this Court finds nothing wrong in the methodology adopted by the Opposite Party-authorities.



Gond painting from Keonjhar displayed in second floor corridor of New Building.



JUSTICE
ADITYA KUMAR MOHAPATRA

Ajit Kumar Mohapatra v State of Odisha & ors

Case No : W.P.(C) No 37932 of 2021

Date of Decision : 31.10.2023

**The employee must be given the right of hearing before
retiring him compulsorily from government service.**

This writ was filled challenging the decision of the state government to compulsorily retire the petitioner from government service at the age of 55 years.

The petitioners contend that the compulsory retirement handed out to him was illegal as Odisha Service Code stipulates that Compulsory retirement would be done on the ground of inefficiency in service or on doubtful integrity of an employee, which according to the petitioners was not the case, especially since the petitioner was granted promotion in 2019. It was also argued that his service record was impeccable and no adverse remark has been made against him. Furthermore, it was stated that the relevant regulations of the Service Code stipulate that premature retirement shall be granted after conducting performance review by a review committee, which, in the instant case, has not been complied with.

On the contrary State argues that the state government has taken the decision to weed out employees with record of corruption and demonstrated inefficiency. To that effect, the petitioner's previous conduct, allegations and

overall background was considered prior to his premature retirement. The state then rests the decision solely on a fresh vigilance case, which has been initiated against the petitioner but charge sheet is yet to be submitted.

While wading through various judicial precedents, it was observed that since the petitioner was made to compulsorily retire on the ground of doubtful integrity, the analysis of the court has been limited to said ground only. The court opined that fitness to continue in the said post is determined based on service rendered in the last 5 years and the awarding of promotion. It was observed by the Court that such premature retirement cannot be treated as a punitive measure in lieu of a disciplinary proceeding, rather it must be resorted to when the review committee is of the opinion that the employee/officer's continuance in service is detrimental to public interest.

Further, the court laying emphasis on the decision of the Apex Court in *State of Gujarat v. Umedbhai M. Patel*, opined that not only can premature retirement be not used to circumvent a departmental enquiry but also it shall not be

imposed as a punitive measure. Additionally, where there is evidence that a public servant's continuance in service is detrimental to public interest, a proper procedure must be followed for compulsory retirement by giving him the opportunity of hearing. Furthermore, it is not sound to conclude that the employee is lacking integrity merely because an inquiry is underway against such employee in view of certain allegations. Therefore, the general rule is that in case of premature retirement, before any conclusion is arrived at, the petitioner i.e. the employee must be given a chance to explain himself.

In the present facts, the petitioner has been granted promotion despite previous disciplinary actions. Additionally, his number of responsibilities have also increased despite lacking supposed integrity to continue in the said post. Furthermore, since the latest allegation is yet to be enquired into, there remains nothing on record to justify his supposed inability to continue in the said post, as claimed by the review committee.

Therefore, the writ application was allowed, and the court set aside the decision of the review committee.

Biswajit Panigrahi v State of Odisha & ors

Case No : W.P.(C) No 27484 of 2022

Date of Decision : 19.05.2023

'Black mark' imposed upon a police officer alongside withholding of increment cannot be counted as 'permanent black mark' for the purpose of removal from service.

The petitioner is a police officer who has been in service since 1991 and over the years has accumulated a total of 9 black marks to his name on various counts. Due to accumulation of the aforesaid black marks, the petitioner was ultimately dismissed from service in 2020, as a punishment, by a disciplinary proceeding, without considering his views/stand. Hence the said writ petition was filed.

The petitioner contended that some of the black marks are conditional in nature and should not be treated as equal to a permanent black mark, as the conditional marks cease to exist after the scheduled period. Consequently, the petitioner is alleged to have 7 black marks as opposed to 9, as claimed. Further, it was contended that by considering the same black mark for termination of services, state is seeking to punish the petitioner twice. State argues that

all police officers below the rank of DSP shall be proceeded with once they have accumulated 9 black marks. Such caution was intimated to the petitioner upon his acquiring the 6th black mark. Further, it was stated that there is no irregularity in counting of the black marks and in terminating the petitioner's service since proper procedure was followed and the principles of natural justice were observed. It was also submitted that the marks are permanent in nature and can only be removed by appellate authority, which in the instant case has not happened.

The court distinguished between the two kinds of black marks and noted that if they are received independent of any other punishment, they shall be permanent in record but where they are awarded along with other temporary punishment, they shall be temporary in nature. It also stated that since the black mark was included



while withholding the petitioner's increment, counting it again for the purpose of termination would amount to double punishment.

Furthermore, the court also said that considering the gravity of the consequences, the authorities

ought to have heard him and as such natural justice having not been followed; the act of the concerned authorities is unsustainable by law.

Accordingly, the writ petition was allowed.

Biswajit Swain v State of Odisha & ors and Batch

Case No : W.P.(C) No 5214 of 2021 & ors

Date of Decision : 31.10.2023

Rule 6(9) of the Odisha Civil Services (Rehabilitation Assistance) Rules, 2020 was declared ultra vires of Article 14 of the Constitution.

These matters involve a batch of cases arising out of a similar set of facts. Hence the petition was admitted on the common question of law, that whether a pending application for rehabilitation assistance should be considered as per O.C.S. (R.A.) Rules, 1990 or O.C.S. (R.A.) Rules, 2020.

The petitioner contends that under the rehabilitation assistance scheme, the petitioner's application has been kept pending inordinately and in the meanwhile, when the O.C.S. (R.A.) Rules, 2020 were passed, despite the application being filed before the 2020 rules came into force, the opposite parties rejected their claim based on the new 2020 Rules instead of the 1990 Rules. It is further contended that the petitioner has not been given any reason for the delay, especially since the petitioner had submitted his application within the stipulated time, and before the new rules of 2020 came into force.

State, however, argues that the petitioner was not been able to secure the minimum qualifying points required in order to be considered eligible under the 2020 Rules. It was further contended that as per Rule 6(9) of the 2020

Rules, all pending are to be considered and disposed of under the new Rules. It was also contended, citing the judgement of the Apex court in N.C. Santosh v State of Karnataka, that application must be considered based on the law in vogue on the date of consideration of the application and not on the date of death of the deceased government employee.

After perusing and analysing a catena of decisions related to the issue at hand, the High Court observed that the Apex Court in Malaya Nanda Sethy v State of Odisha & ors, has substantially dealt with a similar issue involved. In case of compassionate appointment, the Apex Court opined that for no fault of the appellants, their application was kept pending and such delay has caused great distress to the appellant. While the larger question was kept open, owing to the peculiar facts of the case compassionate appointment was given under the 1990 Rules.

The court compared both the 1990 and 2020 Rules and observed that the new Rules have a greater threshold requirement for availing the benefits than the previous rules, which are less cumbersome and more beneficial.

However, both of them have been framed under Art 309 of the Constitution of India. The court also observed that and the benefits under an existing rule cannot be taken away by an amendment operating retrospectively and that an administrative action cannot curtail any right that has crystallized.

Rule 6(9) of O.C.S. (R.A.) Rules, 2020, which stipulates that all pending application shall be considered under the new Rule, was identified as the crux of the issue. The court has observed that the constitutionality of such a provision has to be tested against Art 14 and 16 of the Constitution in order to adjudicate the present case. It was opined that the Government has full freedom to take policy decisions and/or enact schemes, however, it must abide by the principles of non-arbitrariness under Art 14 of the Constitution. In the present case, the

act of the authorities, in creating apparent classes wherein some candidates have been appointed under 1990 Rules while others after an inordinate delay have been asked to apply under the 2020 Rules, has been held to be non-uniform and arbitrary and the apparent classification has been held to have been made sans any intelligible differentia and is therefore untenable in law. In light of the above, it was observed that Rule 6(9) of O.C.S. (R.A.) Rules, 2020 does not pass the test of Art 14 and the apparent classification by the authorities

In its conclusion, the writ petition was allowed by declaring the Rule 6(9) of O.C.S. (R.A.) Rules, 2020 as ultra vires of Art 14. Directions were issued to the opposite Parties to consider petitioner's case under the 1990 Rules with further instructions to conduct the same in a time bound and transparent manner.

Bhikari Charan Rout & ors v State of Odisha & ors

Case No : O.J.C. No. 5428 of 2002

Date of Decision : 02.11.2023

The Court quashed the decision of the Director, WALMI to discontinue funding to the English medium school as it amounts to violation of right to primary education.

This petition was filed challenging the decision of the Director, WALMI to discontinue funding of the English Medium School and inviting private/public organizations or individuals to take operational control of the school.

Petitioners contend that the decision to hand over the functioning of the school, through was objected heavily by employees of WALMI and parents, was taken without paying any heed to their grievances. It was further stated that there were no financial difficulties in running the school and any such claim is not supported by any evidence. It was contended that the

school is operating with students taking admissions every year, however the teachers are not being paid their salary and, the school building/infrastructure is not being maintained properly. It was further argued that, as per the report of the Registrar of the High Court, the school is operating and the students are regularly attending classes. The petitioners further state that a letter was issued by the Collector-cum-Chairman, RTE (SSA), Cuttack to reserve 25% seats in the entry level classes for students belonging to the weaker sections and disadvantaged group. The Petitioner in view of the above contentions stated that the

School is undoubtedly continuing within the WALMI campus.

Respondents argue that in an earlier petition, the Orissa High Court had settled the position that the school in question is not operational. They further argue that due to financial crunch of WALMI, a decision was taken by the Governing Council to hand over the institution to a private organization/private enterprise. It was also argued that, the WALMI is not situated in a remote place and that there exists an Odia Medium School near WALMI and that due to poor attendance of students and sub-standard teaching in the School. Moreover, since no requisite statutory certificates or permissions have been obtained for operating the school, the school, as such, is neither operating nor existing.

The court therefore sought to determine if the school was operational. To this end, the Reports from the Registrar and the various witness testimonies were considered which unequivocally hinted that the school was

operational albeit in pitiable condition.

On the question of whether the present petition was hit by res-judicata or constructive res-judicata in light of earlier petitions filed, the court was of the opinion that since the earlier decision was passed in ignorance of the interim order by the Division Bench and that the issues involved in present writ were not directly and substantially in issue in the earlier petition, therefore, the present case is not hit by the Res Judicata.

To determine the validity of the act of handing over the reins of the school, the court sought recourse to The Right of Children to Free and Compulsory Education (RTE) Act, 2009, Art 45, Art 21-A and the judgement of Unni Krishnan v State of AP and other judgements, to observe that the scheme of providing free primary education is an inviolable right of the citizens, which shall be infringed in the event the administration of the school is handed over.

Therefore, the petition was allowed.



Bandhakala handloom artwork, known locally as Sambalpuri, displayed in the second floor corridor of New Building.



JUSTICE
V. NARASINGH

A. Susanta Kumar Samantaray & Anr. v. State of Odisha (Vig.)

Case Number: CRLMC No. 1483 of 2023

Date of decision: 18th December 2023

Accused released on interim bail is deemed to be in 'constructive custody' of the Court and therefore, he need not surrender to avail regular bail.

In this case, the accused-Petitioners are assailing the order dated 20.03.2023 passed by the learned Special Judge, Vigilance, Bhawanipatna in G.R. Case No.21 of 2021 (V) and also seeking a direction from this Court to give effect to the order passed by this Court dated 24.01.2022 in ABLAPL Nos.16694 and 16666 of 2021. The allegation against the present petitioners is that they being public servants committed criminal conspiracy with some subordinate officials of their department in misappropriating a sum of Rs.23,63,940/- causing wrongful loss to the Government and were also responsible for forging some official documents. The specific allegation was that funds were allotted for plantation of seedlings and on verification by the Vigilance it was allegedly found that the plantation was not properly done as required number of plants were not there at the spot. Apprehending arrest in connection with the aforementioned vigilance case and were allowed by this Court by order dated 24.01.2022.

After submission of such charge sheet, learned Court took cognizance of the offence and issued summons pursuant to which the present

Petitioners appeared on 20.03.2023 and filed applications for bail. The learned Special Judge rejected the Petitioners prayer for bail and by the impugned order dated 20.03.2023 and remanded the accused Petitioners to custody.

The Petitioner submitted that the impugned order is ex-facie illegal. And, in doing so the Special Judge lost sight of sub-section 3 of Section 438 of Cr.P.C. whereby, the learned Court was required to issue a bailable warrant in the face of the order passed by this Court under Section 438(1) of the Cr.P.C. On the other hand, the Vigilance Department submitted that in the face of alternative remedy available, the CRLMC under Section 482 Cr.P.C. is liable to be rejected.

The preliminary objection raised by the learned counsel for the Vigilance that rightly or wrongly since the Petitioners have been remanded to custody, the only remedy available to them is under Section 439 of Cr.P.C and the present Application under Section 482 of Cr.P.C. is not maintainable. This Court clarified that in the face of express remedy, the power under Section 482 Cr.P.C is not to be exercised. But in the

factual matrix of the case at hand when the accused have been remanded even in the face of an order of anticipatory bail being granted by this Court, on a fallacious interpretation of the order and oblivious of the law governing the field, this Court is of the considered view that self-imposed embargo ought not to deter this

Court from exercising its inherent jurisdiction to sub-serve justice. Further this Court held that by virtue of the interim bail granted, Petitioners are deemed to be in the constructive custody of the Court in seisin and therefore the impugned order was set-aside

Tusar Kanti Tripathy & Anr. v. State of Odisha & Anr.

Case Number: W.P.(C) No.16781 of 2015

Date of decision: 31st July 2023

Petitioner cannot challenge appointment of a person to a certain post in a service matter when his rights are not negated by such appointment.

In this case, the petition was filed assailing the selection/appointment of Opposite Party Nos.4 to 12 as Assistant Town Planner (ATP) / Junior Town Planner (JTP) in Bhubaneswar Development Authority (BDA), Opposite Party No.2. The petitioners claimed that they fulfilled the requisite criteria as prescribed in the advertisement and accordingly they applied for the said post. They participated in the recruitment process. However because for formation of a defective selection committee by office order dated 03.02.2015 under the chairmanship of Vice Chairman BDA consisting of 9 members the selection committee with ulterior motive selected Opp. Parties 4 to 12 whereas ignored the legitimate claim of the petitioners.

They further submitted that the selection committee was not duly constituted as per the Rules in vogue. It was also urged that the selection committee is not the final authority after the process of selection since such select list has not been approved by the 'authority'. On the other hand, the Opposite Party Nos. 2 and 3, Bhubaneswar Development Authority (BDA),

contended that the provisions of the ODA Act as well as rules framed there under are not at all violated as claimed by the petitioners. The BDA being a statutory body duly exercised its power by issuing the advertisement and also conducted the selection process in terms of the relevant provisions of the statutory Rules. It was further submitted by the BDA that the objection raised by OPSC with respect to the educational qualification and the consequential decision of the government to cancel the previous advertisement with the further stipulation to take up the selection process after amendment of the rule has no bearing vis-a-vis the impugned advertisement.

This Court observed that in the present case, it was not dealing with a Public Interest litigation rather it was a service dispute where the selection and appointment of OP No. 4 to 12 is only under challenge. The prayer of the petitioners in the writ petition was for quashing selection and appointment of the opposite parties number 4 to 12 as Assistant Town Planner and Junior Town Planner and to issue writ in the nature of certiorari quashing

the impugned order of appointment. As pointed out by the Counsels for the Opp. parties-the selected candidates, in fact, there was no prayer by the petitioners relating to their own claim as well as there is no such averments even in the writ petition indicating whether the petitioners once successful in the case at hand can be appointed qua the selected private opposite parties. It was also not the prayer in the writ petition to declare the constitution of the selection committee or the selection procedure adopted by the BDA to be illegal or unjust. Therefore in absence of any pleading and/or prayer with respect to the petitioners themselves in the present writ petition they cannot be treated as aggrieved party in a

service dispute for which this Court is of the firm view that the case at hand does not merit consideration.

Furthermore, this Court held that the petitioners have deliberately misrepresented the facts and they have not approached this court with clean hand. Admittedly the candidature of the petitioners was rejected and such rejection list was in public domain and presumption can easily be drawn that petitioners were very much aware of the same. Therefore, the petitioners have deliberately suppressed such material fact about the rejection of their candidature as much as they have failed to challenge the said rejection of their candidature in the present writ petition.

Maheswar Dash v. Union of India & Ors.

Case Number: W.P.(C) No.22890 of 2014

Date of decision: 6th January 2023

Court ought to adopt liberal interpretation while deciding claim for pension.

In this case, the petitioner was dismissed from service (constable) by order dated 30.11.1991. The said order of dismissal, on the representation of the petitioner was modified to one of compulsory retirement from service with effect from 30.11.1991 by the Revisional Authorities. In the said order it was mentioned that the petitioner is entitled to draw two third compensation pension and gratuity as admissible. Being aggrieved by the amount of gratuity and compensation pension paid to him in terms of the said order, the petitioner approached this court with a prayer to modify the punishment order and granting pension. By order dated 5.3.2014, this Court disposed of the said Writ Petition directing the Opposite Party No. 2 to dispose of the appeal keeping in

view sub Rule-3 of Rule 40 of the Central Civil Services (Pension) Rules, 1972 (herein after referred to as CCS (Pension) Rules, 1972). The Opposite Party No. 2 held that the petitioner is not eligible for pension as he has not completed 10 years qualifying service in terms of Rule 49 (1) of CCS (Pension) Rules 1972.

The petitioner contended that on a bare reading of the Rule 49 it can be seen that the same is ex-facie not applicable in the case at hand in as much as the petitioner being compulsorily retired, his case is squarely covered under Rule 40. In the case at hand, the petitioner joined in service on 30.03.1982 and compulsorily retired from service w.e.f. 30.11.1991 treating the suspension period as such. Thus the petitioner has completed 9 year and 8 months of service.

The petitioner submitted that the period of service of petitioner has to be rounded off to ten years in terms of provisions contained in Rule-49(3) of CCS (Pension) Rules, as admittedly the petitioner is governed under the said Rule.

This Court held that the petitioner having putting 9 years and 8 months of service, the period of 8 months by fiction of law has to be treated as one complete year, in computing the service period as qualifying service as envisaged under Rule 49(1) of CCS (Pension) Rules thereby

entitling of petitioner for pension on account of compulsory retirement in terms of Rule 40 of CCS (Pension) Rules. It is trite law that while considering claim for pension interpretation which would further such entitlement to be preferred without affecting the intent of the provision. The provision of payment of pension being a beneficial legislation ought to be liberally interpreted as held by Apex Court in catena of decision. This Court therefore, held in favour of the petitioner.

Nirmal Maharana & Anr. v. State of Odisha & Ors.

Case Number: WP(C) No.2920 of 2014

Date of decision: 17th July 2023

Appointing authority cannot nullify select list arbitrarily against the legitimate expectation of candidates without assigning any valid reason.

In this case, the grievance relates to cancellation of self-same selection for the post of Diploma Engineers – Electrical (on contract) by the erstwhile CESU and fresh advertisement by TPCODL. The stand of the Petitioner was that an advertisement was floated by the Opposite Party Nos.2 and 3 on 13.06.2011 for selection and engagement of Diploma Engineer (Electrical) against the advertised vacancies and in terms of selection, the name of the Petitioners figured in the select list. However, without showing valid reasons whatsoever and on extraneous consideration such selection was cancelled.

The Petitioners contended that without any decision of the Board, the H.R. (Human Resources) Department of Opposite Party No.3 had cancelled the selection of the Petitioners so also failed to assign any valid reason. The Petitioners stated that being otherwise eligible in all respect as stipulated in the advertisement

dated 13.06.2011 issued by the erstwhile CESU, they applied for the said posts and were called to appear in the written examination. After the result of the written examination, 617 numbers of candidates as against 245 posts were short listed and were directed to appear for personal interview. The Petitioners appeared before the interview Board and the final merit list was published consisting of 203 numbers of candidates circulated in the website of CESU as against the advertised post of “245”. On the basis of aforesaid select list circulated in the website, congratulation letters were also issued in the website to the respective selected candidates including the present Petitioners. However, instead of giving effect to such select list by issuing appointment orders in favour of the Petitioners, the Opposite Party Nos.2 and 3 issued impugned notice on 01.11.2012, circulating the same in the official website of CESU that advertisement dated 13.06.2011 and the consequential selection

of the Petitioners for the post of Diploma Engineers - Electrical (on contract) is cancelled.

The Opposite Parties submitted that the advertisement published on 13.6.2011 specifically reflected that the authority concerned reserved/preserved the right to cancel the entire recruitment and candidate had taken part in the selection on their own will being conscious of such condition. In view of such clear stipulation in the advertisement, they have the power to cancel the advertisement at any stage. It was further submitted by the Opposite Party No.3 that the impugned order cancelling the advertisement is a communication of decision of the Board of Management through website. It was contended that the Petitioners have deliberately misled the Court with bald allegations by not referring to the decision of the Board of Management in its 37th meeting where such a decision to cancel the advertisement and consequential selection process was taken.

This Court held that a candidate seeking appointment to a civil post cannot be regarded to have acquired an indefeasible right to appointment to such post merely because of inclusion of his name in the merit list. Ordinarily the notification merely amounts to

an invitation to qualified candidates to apply for recruitment and on their selection they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the employer is under no legal duty to fill up all or any of the vacancies. However, it does not mean that the prospective employer has the licence of acting in an arbitrary manner. The decision not to fill up the vacancies has to be taken bona fide for appropriate reasons. If the vacancies or any of them are filled up, the employer is bound to respect the comparative merit of the candidates as reflected in the recruitment and no discrimination can be permitted.

This Court further held that mere inclusion in the select list does not confer upon the selectee an indefeasible right to appointment, but that is only one aspect of the matter. The other is the obligation of the employer to act in a discernible manner. The whole exercise cannot be reduced to a farce. The authorities cannot surreptitiously and without valid reasons nullify the whole exercise and tell the candidates who have gone through the rigors of selection that they have no legal right to be appointed since every such candidate would have the legitimate expectation for being appointed. Accordingly, this Court held in favour of the Opposite Parties.



JUSTICE
BIRAJA PRASANNA SATAPATHY

Sangram Keshari Mohanty v. State of Odisha & Ors.

Case Number: W.P.(C) No. 4066 of 2016

Date of Decision: 23rd November, 2023

Departmental proceedings cannot continue against a delinquent after his retirement unless specific provision in service Rules allows the same.

The petitioner, a retired Reader in English language filed the writ petition seeking to quash departmental proceeding initiated against him under Rule 22 of the Orissa Education (Recruitment and Conditions of Service of Teachers and Members of the Staff of Aided Educational Institutions) Rules, 1974.

Even though the proceeding was initiated while he was service but the same could not be finalized until his date of superannuation. Thus, it was contended on his behalf that the pending proceeding may be quashed as there is Rule available which prescribes that

departmental proceeding can continue against a delinquent employee after his retirement.

The Court, after referring to the decisions of the Hon'ble Supreme Court in the cases of Bhagirathi Jena v. Board of Directors, O.S.F.C. & Ors. (Civil Appeal No. 2101 of 1999) and Dev Prakash Tewari v. U.P. Cooperative Institutional Service Board (Civil Appeal No. 5848-49 of 2014), held that as the proceeding against the petitioner could not be completed prior to his superannuation, the same cannot continue after his retirement in absence of any provision to that effect in the Rules.

Dharanidhar Behera v. State of Odisha & Ors.

Case Number: WPC (OAC) No. 4133 of 2013

Date of Decision: 13th December, 2023

The Court quashed the dismissal of a former Block Education Officer who was ousted from serving without holding enquiry.

The Court was hearing a petition filed by a former Block Education Officer (in-charge), who was dismissed from service by the Government subsequent to an order of suspension passed against him.

It was contended on behalf of the petitioner that after placing him under suspension and without initiating any proceeding whatsoever in accordance with the provisions contained under the OCS (CCA) Rules, 1962 and without

following the principle of natural justice, the petitioner was straightway dismissed from his services in exercise of the power conferred under Article 311(2)(b) of the Constitution of India.

The said provision provides that no person shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges except where the authority is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to hold such inquiry

After going through the materials placed by the counsel for the State, the Court was of the considered view that no overt act was done

by the petitioner with regard to the alleged occurrence which led to his suspension, ultimately leading to his dismissal.

The Court further held that no cogent reason was recorded by the authority in writing as to why it was not reasonably practicable to hold an enquiry against the petitioner before dismissing him from service. Furthermore, the Court observed that no document was produced to show that the petitioner acted in dereliction of the directions issued by any of his superior authorities.

Accordingly, the order of dismissal was quashed and the opposite parties were directed to sanction pension and other pensionary benefits along with arrears of salary to the petitioner.

Baishnab Charan Prusty v. State of Odisha & Ors.

Case Number: W.P.(C) No. 30976 of 2020

Date of Decision: 15th December, 2023

Lecturers of College which got recognition and affiliation after the fixed cut-off date are not eligible to get UGC scale of pay.

The petitioner got appointed as a Lecturer in Chemistry (1st Post) on 24.08.1989 and joined as the same in Kishorenagar College, Kishorenagar on 01.09.1989. His service was confirmed on 24.11.1998 by the Government. He claimed to be covered under the UGC scale of pay, which was denied to him by the Government.

It was argued on behalf of the petitioner that he became eligible to receive the UGC scale of pay from 01.09.1989 as per the resolutions issued by the UGC. However, it was contended on behalf the State that the College, where the petitioner was posted as a lecturer, got temporary recognition from the Department of Higher Education only on 01.05.1995 and was granted affiliation from the Utkal University only in 1996.

Therefore, in view of the dates of joining of the petitioner, recognition from the Higher Education Department and affiliation from the University, it was submitted that the petitioner is not eligible to claim the UGC scale of pay as the cut-off date for getting the enhanced pay was fixed to 01.04.1989.

The State further contended that though one of the claimants like the petitioner got relief from the Hon'ble Supreme Court and was granted UGC scale of pay but the same cannot be claimed by the petitioner in view of the ratio of the Hon'ble Apex Court in *Basawaraj & Anr. v. Special Land Acquisition Officer*, (2013) 14 SCC 81 wherein it was held that a wrong order/ decision in favour of any particular party does not entitle any other party to claim benefits

on the basis of such wrong order.

The Court accepted the above argument made on behalf of the State. Further, the petitioner though sought to challenge fixation of the cut-off date as 01.04.1989, the same was rejected

by the Court taking into account the decision of the Hon'ble Supreme Court in *State of Odisha & Anr. v. Aswini Kumar Das & Ors.*, (1998) 3 SCC 613 wherein it was held that there is no illegality and arbitrariness in fixation of the said day as the cut-off date.

Dr. Smita Patra v. State of Odisha & Ors.

Case Number: WPC (OAC) No. 1184 of 2019

Date of Decision: 21st December, 2023

Qualification/experience obtained after submission of application cannot be taken into account for appointment to Government posts.

The petitioner challenged the appointment of Opposite Party No.3 against the post of Assistant Professor, Anatomy on the ground that the latter did not have the required three years of experience as a Senior Resident or as a Tutor on the date of submission of application. She further urged the Court to direct the Odisha Public Service Commission to issue appointment letter in her favour for selection in the post.

It was further contended on behalf of the petitioner that she had acquired a Post Graduate degree after her MBBS, however, the Opposite Party No.3 had only an M.Sc. It was her further argument that when she had higher qualification, she should have been preferred over the Opposite Party No.3. On a previous date, it was brought before the notice of the Court that though initially the Commission had decided to evaluate the candidate by taking into account their marks in 12th, MBBS and PG, but subsequently, after the closure of application, the Commission decided to exclude the marks of PG from consideration.

The Court had ordered the counsel appearing for the Commission to obtain instruction as to why such a decision was subsequently taken. The Court was informed that as many of the candidates, who had applied for the said post,

were not allotted marks in their PG certificates and merely were declared as 'pass', the Commission was constrained to keep the marks obtained by candidates out of consideration for selection to the post.

The Court, at the outset, held that the Commission erred in allowing the Opposite Party No.3 for sitting in the selection process as her application was incomplete as she did not annex her experience certificate during submission of her application, which was submitted only during the document verification.

Further, it was held that the decision, by which the marks obtained in PG by the candidates was taken out of consideration, was not made by the Commission rather by a single member of the Commission. Hence, it held that the Commission should not have excluded the weightage of marks obtained in the PG degree while evaluating the merits of candidates for the advertised post.

Accordingly, the appointment of Opposite Party No.3 was quashed and the Commission was directed to evaluate the merit of all the candidates on the basis of marks obtained by them in 12th, MBBS as well as in PG and to prepare a fresh merit list.



JUSTICE
MURAHARI SRI RAMAN

A. Cuttack Christian Education Board v. Sri Prafulla Kumar Sahoo & Ors.

Case Number: W.A. No. 1220 of 2023

Date of decision: 19th December 2023

Coram: Acting Chief Justice Dr. B.R. Sarangi, Justice Murahari Sri Raman

Christ Collegiate School being a minority educational institution, the employees are subject to the Rules of Business appended to the Constitution of Cuttack Christian Education Board.

In this case, the appellant has challenged the Judgment dated 02.05.2023 delivered by Single Judge in W.P.(C) No.34817 of 2022 holding that the Secretary, Cuttack Christian Education Board-appellant was not competent to direct the respondent No.1, Headmaster of Christ Collegiate School, Cuttack, to handover charge to Assistant Teacher of the School on 11.10.2022 by putting him under suspension.

the respondent No.1 became the Headmaster in-charge of the School in 2019. The respondent No.1 specifically asserted that Christ Collegiate School, Cuttack is a Minority managed Educational Institution receiving the Grant-in-Aid and the service condition of the employees of the school is governed by the Odisha Education (Minority Managed Aided Educational Institutions Employees Method of Recruitment and Conditions of Service) Order, 2003, and in terms of said Order, 2003, the Managing Committee is competent to take disciplinary action against its employees.

The respondent No.1 further asserted that

the Managing Committee of the School was reconstituted as provided under Rule 28(1) of the Odisha Education (Establishment, Recognition and Management of Private High School) Rules, 1991 and was approved by the respondent No. 4-District Education Officer, Cuttack, on 16.02.2022, having its tenure for a period of three years. Therefore, the impugned order of suspension as well as the initiation of disciplinary proceeding by the appellant cannot be sustained in the eye of law.

The appellant in the writ petition answered the stand of the respondent No.1 by refuting that there is no basis to say that the Managing Committee was approved under Rule 28(1) of the Rules, 1991 in respect of a minority institution inasmuch as no such notification has been made by the State Government in terms of the proviso to Section 2 of the Odisha Education Act, 1969, to apply any of the provisions of the Act and as per Section 2, the said Act does not apply to educational institution established and administered by minorities having right under Clause (1) of Article 30 of the Constitution of

India, 1950. Thus, the Odisha Education Act, 1969 and the Rules framed thereunder, including the Rules, 1991, do not have any application to the Christ Collegiate School, Cuttack.

The principal grievance of the appellant even though the Single Judge noted that it is not in dispute that the Christ Collegiate School is a minority managed aided educational institution, he proceeded to hold that in absence of a certificate issued by the National Minority Commission, the claim of the appellant that it is a minority institution and that it is competent to take action against the respondent No.1 cannot be accepted. However, applying the provisions contained in the Order, 2003, the Single Judge was pleased to hold that the appellant is not competent to take action against the Headmaster in-charge of the School. It is, in this regard, contended by the appellant- CCEB that while Clause 3(e) of Appendix 8B9, relating to the Rules of Business of the Managing Committee of the Christ Collegiate School appended to the Bye-law or its constitution, authorises the Managing Committee to appoint and terminate the services of members of staff except the Headmaster and to take disciplinary measure against them on the report of the Secretary and the Headmaster, Clause 4(j) empowers the Secretary to appoint, suspend, punish and terminate the service of clerical staff and servants of the School to take disciplinary action against them and to grant leave other than casual leave to such employees in consultation with the Headmaster. So far as the Headmaster of the Christ Collegiate School is concerned, the same has been laid down in Clause 6 under Appendix 8B9.

This Court held that bare reading of Section 10 of the National Commission for Minority

Educational Institutions Act, 2004, it is apparent that any person who desires to establish a Minority Educational Institution may apply to the competent authority for the grant of no objection certificate for the said purpose. In the present case, the parties appearing before the learned Single Judge missed to draw attention to the very basic fact that such a certificate is necessary in respect of Minority Educational Institution which is desired to be established. However, the Christ Collegiate School, Cuttack being already established School by group of people belonging to Christian community in the year 1883, there was no requirement for obtaining such certificate and the status of Minority-run Educational Institution did not cease. The NCMEI Act, 2004, by virtue of Section 1(3) thereof came into force with effect from 11.11.2004. Section 10 thereto employed the expression any person, who desires to establish a Minority Educational Institution, may apply to the competent authority for the grant of no objection certificate. The term 'desires' itself is indicative of circumstance that the establishment of Minority Educational Institution is under contemplation. The expression 'desires to establish a Minority Educational Institution' admits of no ambiguity that it is an action of the future, but at no stretch of imagination it can relate to past completed action. Under such eventuality, the application for grant of no objection certificate as required to be made under Section 10 of the NCMEI Act, 2004, is optional, as the use of the word 'may' in the expression 'may apply to the competent authority for the grant of no objection Certificate' makes it abundantly clear.

This Court further held that in view of decision rendered in *St. Catherine Girls High School v. State of Odisha*, 2002 (Supp.) OLR 452 the

position that emerges is that, there can be no estoppel against the fundamental rights guaranteed under Part-III of the Constitution. So merely because the Management has in the past approached the State Government seeking approval, permission etc., such action would not operate to nullify its status as a minority educational institution protected under Article 30(1) of Constitution of India. The constitutional protection of a fundamental right exists forever and cannot be diluted/nullified/ taken away by

any act or conduct of any party.

This Court accordingly held that that since the Christ Collegiate School being established in the year 1883 and admitted and conceded by the Respondent No.1 in his writ petition that the School is a Minority-run Educational Institution, and was appointed by the CCEB, the employees including the Headmaster-Respondent No.1, are to abide by Rules of Business appended to the Constitution of the CCEB.

B. Surendranath Sahu & Anr. v. State of Odisha & Ors.

Case Number: W.P.(C) No. 10219 of 2016

Date of decision: 3rd August 2023

Coram: Acting Chief Justice Dr. B.R. Sarangi, Justice Murahari Sri Raman

Awardee under the Land Acquisition Act cannot challenge acquisition of land on the ground of non-payment of compensation if he chose to remain absent despite of notice to receive compensation.

In this case, the petitioners are the legal heirs of Late Basudev Sahu, the recorded owner of the land measuring Ac.0.065 dec. in Plot No. 1884, Khata No. 493 situated at Mouza: Kapilaprasad, which corresponds to Sabik Plot No. 887 in Sabik Khata No. 179 as per the Hal Settlement Record-of-Right. The opposite parties have taken over possession of the land measuring Ac.0.015 dec. out of Ac.0.065 dec. for construction of approach road under the provisions of the LA Act.

The petitioners submitted that in the year 1981, certain private persons filed a suit bearing O.S. No. 55 of 1981 against the father of the petitioners, namely Basudev Sahu before the learned Court of the Munsif, Bhubaneswar, District Puri (now, Khordha) claiming therein their right of easement for having a passage on the portion of land measuring Ac.0.065

dec. The said suit was dismissed on contest on 22.04.1982. The opposite party No. 3-Bhubaneswar Municipality on 29.09.1982 moved with a requisition for acquisition of land, i.e., the land claimed to be belonging to the petitioners (as legal heirs of Basudev Sahu), which was also subject matter of the aforesaid suit, since dismissed on contest, for construction of approach road.

In consideration of the requisition, Notification Nos.28797 and 28798 issued by the Government of Odisha in Revenue Department under Section 4(1) read with sub-sections (1) and (4) of 17 of the LA Act, vide Extraordinary issue of Gazette of Odisha bearing No. 587, dated 19.05.1983. The position and paraphernalia for taking over possession of the land in question continued which stood revised under Section 6 of the LA Act by Revenue Department Declaration

No. 31401/R, dated 12.06.1985 published in Extraordinary issue of Odisha Gazette No.890, dated 24.06.1985.

The petitioners have admitted that the land was acquired by the Land Acquisition Collector and compensation has been awarded. However, challenge was laid inter alia on the ground that the acquisition of land is actuated and perpetrated in a high handed manner inasmuch as prior to the acquisition of land residents staying in the vicinity had filed a civil suit against Basudev Sahu, the father of the present petitioners, vide O.S. No. 55 of 1981 claiming right of easement, which came to be dismissed on contest on 22.04.1982. The present proceeding bearing LA Case No. 6 of 1986 was initiated pursuant to the requisition made by the opposite party No.3- Bhubaneswar Municipality which was moved on 29.09.1982. It was asserted by the petitioners that in connection with objection raised before the Land Acquisition Collector, a fact finding enquiry was caused. The concerned Officer on ascertaining whether there exists necessity for construction of approach road for public purposes submitted report indicating that there exists a link road for public purposes and the construction of proposed road would not be necessary.

The opposite parties concluded the land acquisition process and issued a letter on 29.05.2015 seeking police help for eviction of the petitioners after long lapse of time from the date of notification for acquisition of land for construction of approach road. It was alleged that such an action manifestly violates the principle of natural justice and the notification was, therefore, issued in colourable exercise of power.

This Court observed that the father of the

petitioners, namely Basudev Sahu, chose to remain absent in spite of notice/intimation for disbursement of compensation amount, as a consequence of which the authority concerned finding no alternative transferred the amount to the Government Treasury and kept in civil deposit. The fact of noncompliance of terms of such notice/intimation by the father of the petitioners remains uncontroverted. Delivery of possession was also taken by the Requisitioning Officer much prior to 01.01.2014. Entire process of land acquisition pertaining to land measuring Ac.0.015 dec. out of total Ac.0.065 dec. in Plot No.1884 under Khata No. 493 of Kapilaprasad Mouza in Puri District (now, Bhubaneswar in Khordha District) was completed in 1990.

This Court further observed that a person alleging his own infamy cannot be heard at any forum, what to talk of a Writ Court, as explained by the legal maxim: “allegans suam turpetudinem non est audiendus”. If the petitioners or their father at the right point of time by not taking appropriate step to question the action of the authority concerned have committed a wrong, they cannot be permitted to take the benefit of their own wrong.

This Court held that the assertion of the petitioners that the land acquisition proceeding initiated under the LA Act is vitiated inasmuch as the compensation amount has not been actually paid to the awardee, as such deeming provision contained in Section 24(2) of the RFCTLARR Act does attract, does not stand to reason and such a contention cannot be countenanced for the simple reason that the awardee, being noticed coupled with subsequent intimation to receive the compensation amount, did not turn up. Finding no alternative the said amount was

deposited with the Treasury. Furthermore, fact on record reveals that the authority concerned had taken delivery of possession of the land

under consideration much prior to 01.01.2014, i.e., the date of enforcement of the RFCTLARR Act, 2013.

C. M/s. Shree Bharat Motors Ltd. & Anr. v. The Sales Tax Officer, Bhubaneswar & Ors.

Case Number: W.P.(C) No. 13736 of 2017 & batch

Date of Decision: 15th March 2023

Coram: Former Chief Justice Dr. S. Muralidhar, Justice Murahari Sri Raman

Tax becomes due under Odisha Entry Tax Act at the very moment when the dealer effects either purchases or brings scheduled goods into the local area for consumption, use or sale.

In this case, the petitioner No.1-Shree Bharat Motors Ltd., public limited company registered under the Companies Act, 1956, represented by Sri Jay Prakash Didwania, Managing Director of the company questioned the veracity of Assessment Order passed by the Assessing Authority (ET), Bhubaneswar-I Circle, Bhubaneswar under Section 9C of the Odisha Entry Tax Act, 1999 pertaining to tax periods 01.04.2013 to 31.03.2015 and issue of Notice(s) in Form E-24 prescribed under Rule 10(6)(b) of the Odisha Entry Tax Rules, 1999 whereby along with the quantum of deficit tax found in the returns relating to the tax periods from 01.04.2015 to 30.04.2017, the Assessing Authority raised demand(s) of interest @1% per month in terms of Section 7(5), assailed the revised entry tax demand notice issued in Form E-8 by the Deputy Commissioner of Sales Tax, Bhubaneswar-I Circle, Bhubaneswar for the tax periods from 01.04.2008 to 31.03.2015 as upheld vide Annexure-10, i.e., Order dated 24.06.2017 passed in Revision Case No. 30(E)/2017-18 by the Commissioner of Sales Tax, Odisha while disposing of revision petition filed at the behest of the petitioner under Section 18 of said Act.

The petitioner also assailed the instructions vide Letter bearing No.9755-Rev-35/59/2017-Rev-

CCT/CT, dated 23.06.2017 addressed to the field formations to undertake recovery process in view of Order dated 28th March, 2017 of the Supreme Court passed in State of Odisha v. Reliance Industries Ltd. and Others, SLP(C) No.14454-1477/2008 pursuant to legal position as set at rest by Nine-Judge Constitution Bench decision of said Hon'ble Court in the matters of Jindal Stainless Ltd. v. State of Haryana, (2017) 12 SCC 1.

This Court clarified that entry of goods- specified in the Schedule appended to the OET Act- into the local area for consumption, use or sale therein and return disclosing "tax payable" is required to be furnished as per sub- section (1) of Section 7. It is provided under sub-section (10) thereof that each and every return is to be scrutinized by the Assessing Authority. If mistake is detected as a result of scrutiny, the Assessing Authority is vested with power to proceed with the matter against the dealer as provided under sub-section (11) Thus, it is explicit that detection of mistake in return upon scrutiny triggers action against the dealer asking it "to make payment of the extra amount of tax along with the interest as per the provisions of this Act". The OET Act provides for levy of interest under sub-section (5) of Section 7. No other provision empowering Authority

to levy interest is brought to the notice of this Court by any of the parties.

This Court while relying on *Toyo Engineering India Ltd. v. Sales Tax Officer*, (2012) 47 VST 109 (Ori) observed that it would have to remit the matter to the Assessing Authority, but considering that the same would not serve fruitful purpose at this distance of time holds that issue of notice in Form E-24 under Rule 10(6)(b) of the OET Rules is not in conformity with the statutory requirement. Since the balance amount of tax due as per disclosure made in the return(s) is known to the petitioner, setting aside the notice in Form E-24 and remanding for computation of tax liability to the Taxing Authority would ensure to the benefit of none. Therefore, the petitioner is required to determine its own liability as per self-assessed return(s) already filed.

This Court further observed that it is a part of scheme of the OET Act that tax becomes due the moment the dealer effects either purchases or brings scheduled goods into the local area for consumption, use or sale therein, which are subject to taxation and the obligation to pay the tax arises. Although the tax liability which comes into existence cannot be enforced till the quantification is effected by the “assessment” of the liability for payment of tax, the word ‘payable’ connotes a legally enforceable payment. As there was no scrutiny of return made by the Assessing Authority till the Hon’ble Supreme Court clarified the position of law no amount of tax was payable by the petitioner(s) with respect to transactions falling within the purview of paragraph 30 of *Reliance Industries Ltd.*, (2008) 16 VST 85 (Ori).

The process of self-assessment comprehends the concept of admitted tax. Reference can be had to Section 2(q) of the OET Act read with

Section 2(47) of the Odisha Value Added Tax Act, 2004. Section 2(47) of the said OVAT Act defines the term “SELF-ASSESSMENT” to mean “a true and correct determination of net tax liability by a dealer in relation to any tax period”. Thus, the dealer is required by law to calculate his own tax liability and is given a time-frame to pay the same along with the return. It is quite possible that by the ultimate assessment the tax due may vary-be more or even less but at the stage of making of the return, obligation has been cast on the dealer to pay the admitted tax. Under the scheme of the OET Act, tax is due at the time the return is due as per Section 7(1) read with Rule 10(1), ie, within twenty-one days of the date of expiry of the month or quarter, as the case may be, to which the return relates. It is, therefore, manifest that the liability is to be saddled with interest under Section 7(5), because of failure to make the payment of the tax due at the time of the submission of the return(s), and as provided in sub-rule (4) of Rule 10 the interest shall be paid at the time of making payment of “tax payable”.

This Court held that so far as notice(s) issued in Form E-24 prescribed under Rule 10(6)(b) of the OET Rules read with Section sub-sections (10) and (11) of Section 7 of the OET Act is concerned, the Taxing Authority having not adhered to statutory procedure as clarified vide *Toyo Engineering India Ltd. v. Sales Tax Officer*, (2012) 47 VST 109 (Ori) = 2012 (1) ILR-CUT 63 wherein the Court was in seisin of notice in Form E-24 as also notice in Form E-8, the impugned notice(s) in Annexure-9 series are quashed. As a consequence thereof, the Order dated 24.06.2017 passed in revision case No BH-30(E)/2017-18 by the Commissioner of Sales Tax, Odisha is set aside.



D. Ramesh Chandra Behera & Ors. v. Union of India & Ors.

Case Number: W.P.(C) No.35330 of 2020

Date of decision: 30th November 2023

Coram: Acting Chief Justice Dr. B.R. Sarangi, Justice Murahari Sri Raman

Scope of indulgence of the High Court under Articles 226 & 227, in decisions made by the Central Administrative Tribunal involving question of limitation, is very limited.

In this case, in response to Advertisement bearing Notification No. PF/GDSMD, Karapada BO, dated at Chhatrapur, the 3rd October, 2013, issued by the Government of India in Department of Posts, Office of the Assistant Superintendent of Post Offices/Inspector of Posts, Chhatrapur Sub-Division inviting applications in prescribed pro forma from intending candidates for the post of "Gramin Dak Sevak, Mail Deliverer, Karapada SO/SO/HO in account with Ganjam SO/HO" with pay scale of 3,330/- + admissible D.A. (for short hereinafter referred to as "GDSMD"), the petitioners made applications. Having not received any information with regard to fate of such applications even after much persuasion, the Senior Superintendent of Post Offices, Berhampur Division, Berhampur acting on the application under the Right to Information Act, 2005, on 22.09.2015 furnished information that out of 12 cases, only one vacancy has been filled up, but others have not been filled up due to non-receipt of administrative approval.

Thereafter, after two years, the petitioners having approached, the Assistant Director (PG), Office of the Central Post Master General, Odisha Circle, Bhubaneswar 751 001 vide Letter No.PG/27-1391/2018, dated 07.05.2018 instructed the Senior Superintendent of Post Offices, Berhampur Division, Berhampur to inquire into the matter and take necessary action to resolve the grievance. Being aggrieved, the petitioners have knocked the doors of this Court by way of the present writ application contending that as per information

communicated vide Letter No.BFCCC/RTI/344, dated 24.09.2020 under the Right to Information Act, 2005 (Annexure-10), it is made known that out of 11 posts, only 2 posts in respect of Sankuda B.O. and Paladhuspalli B.O. are filled up and rest 9 posts are not filled up as yet. Out of these 9 posts, the petitioners are interested for 3 posts relating to Sindurpur B.O., Karapada B.O. and Khojapalli B.O. which are shown to be "vacant".

The opposite parties contended that as the selection process could not be completed by the opposite party No.5 (Assistant Superintendent of Posts of Chhatrapur Sub-Division, Chhatrapur) on or before the stipulated date, i.e., 30.06.2015, the notification dated 03.10.2010 stands cancelled in conformity with the Order contained in Directorate Letter No.17-39/7/2012- GDS, dated 28.05.2015. It is explained that the post of GDS, Khallikote RS Sub-Post Office could be filled up without prior permission by said opposite party No.5 as there was no requirement for administrative approval for filling up post in Sub-Post Office; however, while correspondences were being made to fill up other vacancies related to Branch Offices, Letter No.17- 39/7/2012-GDS, dated 28.05.2015 was issued by the Government of India in Ministry of Communication & IT, Department of Posts (GDS Section), whereby instruction contained to fill up vacancies by 30.06.2015, or else, the earlier notification would stand cancelled. Said letter stipulated that "the vacancies should be filled under the new Recruitment Process (Aptitude Test

Method) applicable with effect from 01.04.2015". Subsequently Letter No.17-23/2016-GDS, 01.08.2016, was issued containing instruction to "stop selection/ engagement of all types of Gramin Dak Sevaks with immediate effect". The Original Application being filed with delay, in view of Section 21 of the Administrative Tribunals Act, 1985, the same has appropriately been held to be barred by limitation by the Central Administrative Tribunal. Therefore, the unit petition, being devoid of merit consideration, is liable to be dismissed.

The petitioners contended that they had been kept in dark by not publishing the result even though they have been waiting since 2013 and they were pursuing the matter diligently for having a scope to eke out livelihood by getting appointment as GDS on consideration of their applications. Showing peeve against the ground of dismissal of O.A. No.630 of 2018 by the Central Administrative Tribunal vide Order dated 04.06.2020, it is submitted that the same is passed without application of mind and the ground of limitation is contrary to the records. He went on to submit that it is "only after issuance of letter dated 07.05.2018 and so also information under the Right to Information Act, the cause of action to approach the Central Administrative Tribunal arose.

Further, they contended that the opposite parties have not only acted irresponsibly, but also with mala fides "by giving appointment in respect of one of the candidates for the same advertisement". Referring to contents of paragraph 24 of the writ petition, he further submitted that mala fides is manifest as the opposite parties did not publish result of applications submitted by the present petitioners, whereas they have filled up one of the posts, namely GDSMD, Khallikote RS Sub-Post Office under "unreserved category". Therefore,

the petitioners have been discriminated against and Sri Sukanta Kumar Dalai, learned Advocate in his usual style of vehemence made attempt to persuade this Court by submitting that ends of justice would subserve best if the opposite parties are directed to publish the result in consideration of applications made in connection with Advertisement dated 03.10.2013.

The Counsel for the opposite party Nos. 1 to 5 stuck to the stand taken in the counter affidavit as also the reply to the rejoinder affidavit and would submit that by virtue of instructions contained in Letter No.17- 39/7/2012-GDS, dated 28.05.2015 issued by the Government of India in Ministry of Communication & IT, Department of Posts (GDS Section), the vacancies having not been filled up by the cut-off date, ie., 30.06.2015, the earlier notification stood cancelled. There was no necessity or requirement to intimate the result of the applications individually.

This Court while relying on *Basawaraj v. Special Land Acquisition Officer*, (2013) 14 SCC 81, observed and held that the discretion to condone the delay has to be exercised judiciously based on facts and circumstances of each case. It was further observed that the expression "sufficient cause cannot be liberally interpreted if negligence, inaction or lack of bona fides is attributed to the party. It was further observed that even though limitation may harshly affect rights of a party but it has to be applied with all its rigour when prescribed by statute. It was further observed that in case a party has acted with negligence, lack of bona fides or there is inaction, then there cannot be any justified ground for condoning the delay even by imposing conditions. Each application for condonation of delay has to be decided within the framework laid down by the Supreme Court. It was further observed that if courts start condoning delay where

no sufficient cause is made out by imposing conditions then that would amount to violation of statutory principles and showing utter disregard to Legislature.

This Court further iterated that in the instant case, no application for condonation of delay was filed. Furthermore, by virtue of instructions vide Letter dated 28.05.2015 read with Letter dated 01.08.2016 issued by the Government of India, referred to supra, the selection/engagement of “all types of Gramin Dak Sevaks has been stopped “with immediate effect”. As has been observed by the learned Central Administrative Tribunal in its Order at paragraph 15 it is clear from the prayer of the petitioners that they seek relief in connection with publication of results of Advertisement dated 03.10.2013 in pursuance of which they have claimed to have applied for the post of GDSMD, Karpada Sub-Post Office. Record reveals that by communicating information vice RTI/Appeal-72/ R.Ch. Behera/BF/2015, dated 27.01.2016 (Annexure-4), the petitioners came to be aware of the factual position as to their applications. Therefore, there was no point, it appears, to further approach the Assistant Director (FG), Office of the CPMG, Odisha Circle, Bhubaneswar (Annexure-5) wherein it is stated that the grievance has been made on 23.03.2018 by the petitioner-Ramesh Chandra Behera. It appears these petitioners have been in deep slumber for over two years and woke up to ursue their matter after the revised selection process for ergagement to all approved categories of GDS posts has been put in place with effect from 01.04.2015 vide Letter No.17-39/7/2012-GDS, dated 28.05.2015 (Annexure-R-3 of the counter affidavit) with mandate that “in case any of these vacancies are not filled up latest by 30.06.2015, the notification should be cancelled

and the vacancies should be filled under the neur engagement process (Aptitude Test Method) applicable with effect from 01.04.2015” and request to “stop selection/engagement of all types Gramin Dak Sevaks with immedicate effect has been circulated vite Letter No.17-23/2016-GDS, dated 01.08.2016 (Annexure-R/4 of the counter affidavit). Therefore, in the absence of any application under sub-Section (3) of Section 21 praying for condonation of delay, the Tribunal was justified in dismissing the Original Application, as it has no jurisdiction to admit and dispose of original application on merits. Notwithstanding the same, the learned Central Administrative Tribunal evaluating the merit of the matter, passed Order dated 04.06.2020 dismissing the original application on merits as well as limitation

The scope of showing indulgence by exercise of extraordinary jurisdiction delineated under Articles 226 and 227 of the Constitution of India to review the decision taken by the learned Central Administrative Tribunal taking cognizance of the evidence available on record and in consideration of mixed question of fact and law with respect to limitation contained in Section 21 of the Administrative Tribunals Act, 1985, is limited. Thus, this Court, in the aforesaid emerging factual matrix, need not go into the details of evidence to upset the settled factual position as that is not required while sitting in this jurisdiction under Article 226/227 of the Constitution of India. This Court, thus, finds no reason to show indulgence in the decision taken by the Central Administrative Tribunal as the petitioners could not succeed in persuading this Court by showing any procedural irregularity being committed in the proceeding before the learned Central Administrative Tribunal.



JUSTICE
SANJAY KUMAR MISHRA

Salila Pradhan v. Ram Bali Prasad & Ors.

Case Number: W.P.(C) No.2459 of 2017

Date of decision: 5th May 2023

Coram: Justice Arindam Sinha, Justice Sanjay Kumar Mishra

Removal of workman in terms of Section 25-F of the Industrial Disputes Act must be preceded by one month's prior notice or pay in lieu of the notice period along with retrenchment compensation for each completed year of service.

In this case, the Petitioner workman, being aggrieved by the award dated 23 December, 2016 passed in ID Case No.03 of 2015, has approached this Court. Vide the said impugned award, though the Labour Court answered issue no.1 in favour of the petitioner workman holding that the termination of services of the petitioner workman by the present opposite party management no.1, without compliance of section 25-F of the Industrial Disputes Act, 1947, shortly, ID. Act, 1947, is illegal and unjustified, while answering issue no.2, as to what relief the petitioner workman is entitled to, the Labour Court awarded a lump sum compensation of Rs.1,60 000/- to be just and proper with an observation that the opposite party management no 1 has no work under the opposite party management no.2.

Having coverage under the Employees Provident Fund, he was discharging his duty sincerely, honestly, with full dedication. The opposite party management no 1 had issued a gate pass to the petitioner workman, which

was extended from time to time. The opposite party management no. 1 terminated his service by way of refusal of employment. There was no prior notice to the petitioner workman nor was he paid retrenchment compensation prior to such refusal of employment.

The contract work performed by the opposite party management no.1 is of perennial nature, which is necessary for the industry, trade, business, carried on in that establishment and are regular in nature. The petitioner workman was working in the PAP side and the work performed by him, is of perennial nature. The retrenched workers of the opposite party management no.1 are working in Ms S.B. Industries, Ms Sakti Contractor and Mi's Jaya Maa Tarini Contractor. Therefore, the petitioner workman has a right for his re engagement under the other contractors of the opposite party management no 2. It being the principal employer, is not only responsible to ensure payment of wages to the contract labourers, but also liable to reengage the

retrenched workmen of the opposite party management no. 1.

The Petitioner submitted that sufficient evidences were led before the court below to prove that even after September, 2013, the opposite party management no 1 worked in the establishment of opposite party no.2 till October, 2014. Other co- workmen were reengaged in the establishment of the opposite party no.2, the said work of management no.2 being permanent and perennial in nature. Even though the said evidence led by the workman as W.W. no.1 remained untouched during his cross- examination, the Labour Court, while answering issue no.2, as to relief to be granted, failed to take note of the admitted evidence on record as to reemployment of retrenched workman in terms of section 25-H of the ID. Act, 1947, so also discrimination meted out to the petitioner because of his raising voice against the management for his non-coverage as well as similarly placed workmen under the EPF and ESI Act.

He further submitted that while granting relief, the Labour Court failed to take note of the legal provisions enshrined under Rule 11 of the Orissa Contract Labour (Regulation and Abolition) Rules, 1975 (Conditions of Service), which mandates as to applicability of Chapter V-A and V-B of the ID. Act, 1947 to the establishment of opposite party management nos. 1 and 2 and re-engagement of retrenched contract labourers, as is being provided under section 25-H of the I.D. Act, 1947.

The opposite party management no.2 submitted that there is no infirmity in the impugned award and the Labour Court has rightly awarded a lump sum compensation of Rs.1,60,000/- in

lieu of reinstatement and back wages to the workman, who is a contract labourer. As the opposite party management nol is no more working in the establishment of opposite party management no 2 since 2014, the prayer of the petitioner workman to reinstate or reengage him in terms of section 25-H of the ID. Act, 1947 is misconceived. Further, though the alleged admitted unpaid dues of the petitioner workman (as admitted in the written statement) is Rs.1,42,169, which the present petitioner allegedly did not receive when he was subsequently approached to accept the said amount towards full and final settlement of his dues.

This Court held that the petitioner workman, though was working as a contract labourer under the opposite party management no 1, from the pleadings of the parties, so also evidence on record as detailed above, it is well proved that the nature of job performed by the petitioner workman is permanent and perennial. Further, there is an admission by the management witnesses during their cross-examination that the management no. 1 was working since 2006 without any public tender floated by the management no.2 and the same work is being executed through different contractors. Some of the co-workmen/contract labourers, though accepted the retrenchment compensation and other benefits by entering into tripartite settlements in presence of the Conciliation Officer, the management no.1 agreed to reengage retrenched contract labourers in terms of section 25-H of the I.D. Act, 1947. The said settlements were duly witnessed by the officers of the opposite party management no.2 i.e. Officer (HR), so also Officer, I.R. of IFFCO management, Paradeep

Unit and some of them have been reengaged through the existing contractors. Hence, we are of the view that it was obligatory on the part of the opposite party management no 2 to ensure reengagement of the petitioner through other contractors, who were assigned with the said job/work, as was being done by the opposite party management no.1

This Court observed that the law is well settled that if employer wants to disengage a workman, in terms of Section 25-F of the Act, it is obligatory on the part of the employer to give one month's prior notice or pay in lieu of

RISS the notice period so also retrenchment compensation for each completed year of service and the said payment has to be made simultaneously at the time of retrenchment of the workman. That apart, in view of the provisions enshrined under section 21(4) of the CLRA Act, 1970 and definition of "wages", as defined in clause (h) of section 2(1) of the CLRA Act, 1970, read with clause (vi) (a) of section 2, so also section 3(2) of the Payment of Wages Act, 1936, we are of the view that it is also obligatory on the part of the opposite party no.2 to ensure payment of unpaid dues as well as compensation to the petitioner workman.

**Ananda Chandra Das v. Departmental Promotion Committee of
the Odisha State Housing Board, Bhubaneswar & Ors.**

Case Number: W.P.(C) No.9589 of 2019

Date of decision: 5th October 2023

**Reservation to schedule category candidates cannot be given
under the ORV Act when the cadre has only one post.**

In this case, the Petitioner, who belongs to Scheduled Caste category and works as Senior Accountant under the Odisha State Housing Board (OSHB), has preferred the Writ Petition challenging the legality and validity of the decision dated 25.01.2019 of the Departmental Promotion Committee (DPC) of the OSHB, wherein the only post of Head Accountant was filled up from general category. The said challenge has been made alleging violation of Section 10 of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975, shortly, the Act, 1975, read with "the Schedule" as prescribed under Rule 3 (Model Roster) of the Odisha Reservation of Vacancies in the Posts and Services (for Scheduled Castes and Scheduled Tribes) Rules,

1976, shortly, the Rules, 1976.

The brief facts of the case is that the Petitioner was initially appointed as Junior Accountant after facing selection process of the Board as a SC candidate. On 15.07.2005, he was promoted to the post of Senior Accountant on the basis of Seniority-Cum-Merit as a SC candidate. He was performing his duties and responsibilities to the best satisfaction of his authority from the date of his joining. There was a disciplinary proceeding initiated against the Petitioner based on an allegation of a private person about discrepancy in allotment of house in OSHB. But, in the enquiry the charges could not be established. After completion of the Departmental Proceeding, his seniority was fired over and above of his

juniors, who had got promotions superseding him Accordingly, the Petitioner's seniority and financial benefits were allowed vide Office Order dated 01.09.2008. A Final Gradation List as on 12.04.2012 of the Accounts Personnel of the Board was published vide Memo No.5885, dated 26.04.2012. In the list of Senior Accountants, Petitioner's name was reflected at \$1 No. 7. Sl. No.1-Dillip Kumar Dash was promoted to the post of Accounts Officer (General) since 2017. S1. Nos. 2 and 3 were superannuated. One Kamal Kumar Rout (O.P. No.4) was promoted to the said post in terms of the present DPC under challenge, but retired on 30.04.2019. As per the Gradation List, the Petitioner is the senior most Scheduled Caste person and his first entry into the Board's service was on 21.07.1993. Though his promotion to the post was counted on 15.07.2005, but as per Annexure-2, his seniority was fixed over and above his junior, namely, Niranjana Mallick (SC). Accordingly, he was the senior most amongst the scheduled caste employees holding the post of Senior Accountant.

Therefore, since 1990, though four times promotions were given to various candidates to the post of Head Accountant, but no SC/ ST/OBC employee was promoted to the said post In the meanwhile, one Mahendra Kumar Biswal, Head Accountant retired on 31.07.2013 and another namely, Sri Sital Chandra Mohanty retired on 30.11.2014. As one post has been filled up in the year 2014 Ethat point of time from the general category, thereafter one Head Accountant post was vacant

The case of the Petitioner is that since one

Head Accountant post was vacant, he filed several representations before the Authority ventilating his grievances about his promotion to the post of Head Accountant as prescribed in "the Schedule" in accordance with the Rule 3 (Model Roster) of the Rules, 1976. The SC and ST Department also requested the OSHB vide letter dated 15.01.2016 to follow the reservation policy.

The petitioner has contended that the Order dated 20.04.2016 was mechanical, being silent about the promotion and implementation of the Model Roster'. Hence, the Petitioner filed a representation seeking review of the Order dated 20.04.2016. Due to the inaction of the Authority to act on his representation, the Petitioner again preferred W.P.(C) No. 19277 of 2016. While the matter is pending, the DPC was held on 25.01.2019 Again promotions were given to the post of Head Accountant In the DPC, one Kamal Kumar Rout, Senior Accountant was promoted to the post of Head Accountant, who retired from service after attaining the age of superannuation on 30.04.2019. Hence, W.P. [C] No.19277 of 2016 became infructuous in the changed circumstances. It is the case of the Petitioner that while issuing the impugned promotion order, the ORV Act was not followed. The same is now awaiting for administrative approval in the Government.

Opposite Party No.1 contended stating that the subject matter and the question of law in W. P. (C) No. 19266 of 2016 pending before this Court as well as in the present Writ Petition being same, the present Writ Petition is misconceived and not maintainable and liable to be dismissed. It has further been

stated that as per the ruling of the apex Court, reservation cannot exceed the ceiling limit of 50% on post-specific roster, as has been clarified in the Circular dated 15.03.2007 of the Government of Odisha, ST and SC Department.

He further contended that the service record of the Petitioner is not clean. The order passed by the Disciplinary Authority as well as the Appellate Authority imposing penalty on the Petitioner have been challenged by the Petitioner in W.P.(C) No.4550 of 2013 and the same is still pending for adjudication before this Court. Further, one Dillip Kumar Dash was promoted from the post of Senior Accountant to the post of Head Accountant taking into account the seniority in the Gradation List (Annexure-5) and the existing Rules. There were two posts of Head Accountants in OS HB. Out of which, one post of Head Accountant was upgraded to the post of Accounts Officer (General) as per the Order dated 22.03.2014 of the Government in H & U.D. Department. Accordingly, after upgradation of one post of Head Accountant, the sanctioned post of Head Accountant comes to one only. The post of Head Accountant having been reduced to one (single post) in OSHB, the question of applicability of reservation policy of SC and ST for the said post does not arise. After upgradation of one post of Head Accountant to the post of Accounts Officer, Sital Chandra Mohanty, being the senior most in the gradation list of Head Accountants, was promoted to the post of Accounts Officer and retired as such on attaining the age of superannuation on 30.11.2014. Similarly, Mahendra Kumar Biswal retired on 31.07.2013 as Head Accountant, on attaining the age of

superannuation After retirement of Mahendra Kumar Biswal one Dillip Kumar Dash, being the senior most among the Senior Accountants in the Gradation List, was promoted to the only post of Head Accountant.

The Court observed that since the Opposite Party No.1 sought for creation of post and a clear cut sanction was accorded for creation of post of "Accounts Officer (General)" in terms of proviso under Section 10(4) of the Orissa Housing Board Act, 1968, this Court is of the view that it is not a case of mere upgradation of post of Head Accountant to the Accounts Officer (General). After such creation of post by up-gradation, admittedly, there was/ is only one post of Head Accountant remaining with the Opposite Party No. 1 (OSHB) to be filled up by way of promotion, and in view of provisions enshrined under Section 3[j] of the ORV Act, 1975 and the ORV Rules 1976 made thereunder, the ORV Act and Rules are not to be followed for promotion to the said single post of "Head Accountant".

From the legal provisions enshrined under Section 10 (4) of the Odisha Housing Board Act, 1968 read with the correspondences made between OSHB and the State Government, including the sanction accorded vide communication dated 22.03.2014 [Annexure-B), as has been detailed above, it is amply clear that as required under proviso to Sub-Section (4) of Section 10 of the Act, 1968, sanction was accorded by the State Government for creation of post of Accounts Officer (General) in the scale of pay of Rs. 9300- 34800/- with Grade pay Rs.4600/- by way of upgradation of one post of Head Accountant, in response to letter dated

12.06.2008 of the Housing Board vide which it was communicated to Government that Board has decided to convert on equivalent post to that of Accounts Officer (General) for the purpose of providing promotional berth to Head Accountants. After such upgradation, the remaining post of Head Accountant being one, in view of Sub-Section (f) under Section 3 of the ORV Act, 1975, this Court is of further view that the said Act is inapplicable to the case of the Petitioner, which is the sole basis to make such a prayer for promotion to the post of Head Accountant applying the provisions

of ORV Act, 1975

This Court held that the Petitioner that such upgradation of post of Head Accountant for creation of the post of Accounts Officer (General) is a mere upgradation simpliciter and does not form any separate grade or cadre and the candidate continues to hold the same post of Head Account, is misconceived. Therefore, all the issues, as detailed above, are answered herewith against the Petitioner. The Writ Petition, being devoid of any merit, stands dismissed. No order as to cost.

**Managing Director/Directors, M/s Kalinga Media & Entertainment
Pvt. Ltd., Bhubaneswar & Anr. v. Mousumi Mohanty**

Case Number: W.P.(C) No.19583 of 2022

Date of decision: 30th January 2023

Coram: Justice Arindam Sinha, Justice Sanjay Kumar Mishra

**The requirements under Section 25-F of the Industrial Disputes Act have to
be complied even in case of contractual or specific term appointments.**

In this case, the opposite party was engaged as “Anchor Head” on contractual basis for a period of two years under the petitioner No.1-company vide Order dated 20.05.2015. While working as such, on 01.08.2018 the Chief Editor of the petitioner No.1-Company by his e-mail dated 01.08.2018, asked the opposite party to have her reply on the issue of “arrogance” as shown in the parking place, to which the opposite party by her e-mail dated 02.08.2018 replied that she has every right to react over the situation and her reaction was not harsh. However, on receiving many complaints pertaining to disobedience and not taking responsibility of work assigned to the opposite party, management, having sustained heavy pecuniary loss, was constrained to terminate the service of opposite party by

Order dated 18.08.2018. Pursuant to the same, the opposite party raised an industrial dispute before the District Labour Officer, Khurda, by Registered Post on 13.09.2018. As the said dispute could not be resolved amicably during the stipulated period of 45 days, the opposite party preferred I.D. Case No.59 of 2018 before the Labour Court, Bhubaneswar, resorting to provision enshrined under Section 2-A(2) of the Industrial Disputes Act, 1947 (for short the Act seeking, inter alia, for declaring her termination Order dated 18.08.2018 to be illegal and unjustified and with a prayer to reinstate her with full back wages, so also to compensate her for such illegal action taken by the management.

The petitioner contended that the opposite

party is not a workman and has not made an application to the Conciliation Officer relating to her dispute, her appointment being purely on contractual basis valid for two years w.e.f. 20.05.2015 till 19.05.2017, her service expired automatically on 19.05.2017 and thereafter, she was continuing purely on oral contract basis. However, in terms of condition No.11 of letter of engagement, her service was terminated on 18.08.2018 for the interest of the management and there was no necessity for domestic inquiry and hence, there is no illegality on the part of the management in terminating the service of the opposite party-workman.

Opposite party further submitted that before passing the impugned award, the Labour Court gave sufficient opportunity to the Petitioners-employer to have its say, so also to cross-examine the workman witnesses and lead evidence to substantiate its pleadings. But the petitioners- management failed to avail the said opportunity. Opposite Party further submitted that the findings of the Labour Court that she is a workman and her engagement is not contractual and rather, the action of the management is punitive and her termination is illegal and unjustified as before terminating her service no domestic inquiry was conducted by the management and thereby no perversity in the impugned award, the writ petition deserves to be dismissed in limine.

This Court observed that the law is well settled that if employer wants to disengage a workman, in terms of Section 25-F of the Act, it is obligatory on the part of the employer to give one month's prior notice or pay in lieu of the notice period, so also retrenchment compensation for each completed year of service and the said payment

has to be made simultaneously at the time of retrenchment of the workman. A coordinate Bench of this Court in *Shyam Sundar Rout v. Orissa State Road Transport Corporation and others*, reported in (1990) 69 CLT 357, held that the payment should be made simultaneously along with the order of retrenchment in order to constitute a single transaction. It was further held that compliance of Section 25-F of the Act is required even if employment is contractual or for a specific term .

Further, though Clause-11 of the letter of engagement dated 25.05.2015 provides that contract of engagement may be terminated by the employer in its interest by giving prior notice of one month and similarly, the opposite party may terminate the contract of engagement in her interest by giving one month's notice and there is no stipulation in the said terms and conditions as to "payment of one month salary in lieu of the notice period", though there is a mention as to payment of one month salary to the opposite party-workman vide order of relieve dated 18.08.2018, admittedly neither there was one month's prior notice giving nor one month's salary was paid to her at the time of issuance of the relieve order dated 18.08.2018, which well demonstrates that she was rather intimated that in terms of the conditions of her service agreement she will be paid one month's salary after meeting the official formalities and clearance from the H.R. cell. Further, no where it has been averred in the written statement that pursuant to such communication, she was paid one month's salary in lieu of the notice period, even though there is no such stipulation in clause-11 of her offer of engagement as to paying salary of one month in lieu of the notice period.

Anushrav Gantayat v. State of Odisha & Ors.

Case Number: WP(C) No.21215 of 2019

Date of decision: 19th December 2023

The Court ordered the State to appoint a visually impaired candidate whose name was omitted from the merit list, despite scoring higher than the cut-off score, only because he was found to be having 40% disability and not 'more than 40% disability' as per Rights of Persons with Disabilities Act.

The factual matrix of the case is that the Petitioner, though had secured more marks than his counterparts, his name could not find place in the provisional select list of 106 candidates on the ground that his candidature was rejected vide Order dated 19.12.2018. It is crystal clear from the document of OPSC that the Petitioner had secured more marks than many other selected candidates. It is alleged that though marks in OCS (main) examination and personality test were published, the Roll Number of the Petitioner was missing. It has been further averred that from the result sheet, it is crystal clear that the Petitioner secured much more marks than many other candidates and his name/roll number should have been placed in between serial nos. 17 & 18 of the merit list.

It is further case of the Petitioner that he has secured much more marks than the last candidate selected under unreserved male as well as Physically Handicapped (Visually Impaired) category. Being shocked with Notice No.10121 dated 19.12.2018, the Petitioner submitted representations to different quarters, however, was turned down. Being aggrieved, he has filed this writ petition.

The Petitioner submitted that the State, as an ideal employer, holds recruitment examination through recruiting Agencies to select the best from among the rest. But, in the instant case, by

rejecting the candidature of the Petitioner after he successfully cleared all the examinations, the recruiting Agency tried its best to select the less meritorious candidates as per their documentary admission. It is further submitted that while submitting application before OPSC, the Petitioner has not suppressed any material fact and approached the Agency with clean hands. After scrutiny of such documents, his application was allowed and the Petitioner was given chance to appear in preliminary examination. The candidature of on the sole ground that Petitioner was rejected suffering from 40% permanent disability though allegedly it should have been more than 40%. The Petitioner has not availed age relaxation in the examination meant for PwD candidates

It was further submitted that the law is well settled that if any person belonging to reserved category is selected on the basis of merit in open competition along with general category candidates, then he would be considered as unreserved candidate and he shall not be adjusted against reserved vacancies. In case he secures less marks, then only his merit is to be weighed along with other candidates of such reserved category.

He further submitted that Section 2(1) of RFWD Act, 2016 defines bench mark disability of a person. It means a person with not less than 40% of a specified disability.

When the certifying Authority certified the Petitioner as 40% disabled, rejection of his candidature is contrary to the RPWD Act, 2016. After rejection of candidature of the Petitioner, OPSC selected several candidates having 40% disability as has been detailed in the Writ Petition Rejection of candidature of the Petitioner on the ground that he has 40% disability, is illegal and discriminatory, being contrary to the provisions of Article 14 & 16 of the Constitution of India as well as the Section 2(r) of the Act, 2016.

Opposite Party No.7 (OPSC), submitted that the role of OPSC is limited. It has to act basing on the requisition received from the Government Rules and Regulation and as the provisions of relevant recruitment accordingly, it issue 2017-18 for OCS Examination Advertisement No.11 of he Petitioner applied for the said examination as a PwD candidate. He further submitted that Para 2(2) of the SSEPD Department Resolution dated 05.09 2017 stipulates that person with more than 40% of disability, as certified by the Competent Certifying Authority appointed under Section 57(1) of the Act, 2016. As the Petitioner is having only 40% disability, his candidature was rightly rejected by the Commission. Being directed by the Administrative Tribunal in O.A. No.422(C) of 2019, the Commission had considered the matter and intimated its decision to the Petitioner vide communication dated 02.04.2019 (Annexure-15), which is under challenge in the present Writ Petition There is no infirmity in the impugned order deserving interference. Rather, the Writ Petition deserves to be dismissed in limine as the OPSC has acted strictly in terms of requisition of the Government in G.A. and P.G. Department.

Opposite Party No 9, submitted that inclusion of the name of the Petitioner in the select list (Annexure-8) to the Odisha Civil Services Examination, 2017 shall alter the position of all the candidates from the point where the name of the Petitioner is proposed to be included in terms of the prayer made in the Writ Petition. As a result, person selected and served for a period more than three years in Group-A service, may be reverted back to Group-B service having substantial difference in his status of the service condition and the last man in the select list may be out of employment, who has not been made a party and without affording him any opportunity of being heard, the prayer of the Petitioner may not be entertained.

This Court held that from the said provisions under the Act, 2016, it is amply clear that Section 2(r) is in respect to person with benchmark disability of 40% and above, whereas Section 3 of the said Act speaks about equality and non- discrimination. Sections 33 and 34 of the said Act deal with identification of posts for reservation whereas Sections 56, 57 and 58 speak about procedure for issue of disability certificate by the designation of certifying authority. Similarly, Section 89 of the Act, 2016 prescribes as to punishment for contravention of any of the provisions of the said Act.

This Court further held that after promulgation of the RPwD Act, 2016, which came into effect from 19.04.2017, the State Government issued a Resolution dated 05.09.2017, wherein an error was crept in vide Para 2 (2) of the said Resolution, which speaks that persons with more than 40% disability, as certified by the competent Certifying Authority appointed

under Section 57(1) of the Act, 2016, irrespective of nature of disability, shall be eligible for reservation.

The OPSC (O.P. No.7), to substantiate its action to be legal and justified, has relied on the requisition sent to it by the concerned Department of the State Government. Such requisition was admittedly sent to OPSC based on the erroneous Resolution dated 05.09.2017 of the SSEPD Department, which was subsequently rectified by the Department on 16.07.2018, as the terms of the Resolution dated 05.09.2017 was contrary to Section 2(r) of the Act, 2016. Admittedly, the OPSC processed the application of the Petitioner in terms in of the provisions prescribed under the Act, 2016. However, at final stage of selection, when the Petitioner was called for personality test, it came to the notice of the OPSC that the percentage of disability of the Petitioner to be 40% only instead of “more than 40%”, as prescribed in the erroneous requisition

sent by the concerned Department. Hence, invoking the note under Clause-11 of the said Advertisement No.11 of 2017-18, the candidature of the Petitioner was rejected by the OPSC. Such a mistake being de hors the law, was rightly rectified by the concerned Department of the State Government (Opposite Party No.3)

This Court iterated that the Advertisement No.11 of 2017-18 of OPSC for recruitment of OCS Examination, 2017 pertaining to Point No. 5(1), with regard to reservation of one post under the PWD for blind, should not have been contrary to the statute i. e. provisions enshrined under Section 2(r) of the Act, 2016. Hence, action of the Authority concerned, including the OPSC, thereby debarring the Petitioner from his legitimate legal right to seek for appointment under the reserved category of PWD for Blind/Low vision based on such faulty advertisement, is illegal, arbitrary and unreasonable.



From left to right - Pasapalli texture craft from Sambalpur and Applique from

Boudh, displayed in second floor corridor of New Building.



JUSTICE
GOURISHANKAR SATAPATHY

Wipro Limited, Cuttack v. Prasanna Kumar Baral

Case Number: C.R.A. No. 412 of 1994

Date of decision: 20th March 2023

**Omission to serve notice upon the accused under Section 138(b)
of the Negotiable Instruments Act is an incurable defect.**

In this case, the appeal is directed against the order passed by S.D.J.M., Sadar, Cuttack in I.CC Case No. 57 of 1993 acquitting the respondent of the offence u/s 138 of NI Act by invoking the provision of Section 255(1) of the Code. The appellant being the Senior Branch Supervisor of the company “Wipro Limited” was the complainant, whereas the respondent being the proprietor of M/S. Premier Agency was the accused. According to the complainant, the accused used to purchase goods from the Branch Office of the complainant-company and used to sell the articles so purchased by it to customers. Accordingly, the accused requested the complainant-company to dispatch some stock which was dispatched on the same day vide Invoice No. 1013 worth Rs.22,887.45 and as against such transaction, the respondent-accused issued a cheque bearing No. 445482 of but when the said cheque was presented, the same was dishonoured.

Thereafter, he filed the aforesaid complaint against the respondent-accused for refusing to make payment for the cheque. The Trial

Court however, came to a conclusion that the complainant had not been able to establish the existence of any debt or liability against the respondent-accused and in discharge of such liability, the cheque was issued by the accused.

Amicus Curiae submitted that when the accused had admitted the business transaction between him and the appellant, it could not be considered that the cheque issued by the respondent-accused was not on account of any discharge of debt or liability, but the learned trial Court by ignoring the presumption available in favour of the appellant had mis-appreciated the evidence to hold that the accused had not issued the cheque for discharge of debt or liability and thereby, had erroneously acquitted the respondent-accused. Amicus Curiae further submitted that in a prosecution u/s 138 of NI Act, the burden is on the accused to rebut the presumption that the cheque was issued not for discharge of any debt or other liability, but it is very clear from the evidence on record that such presumption was never discharged

by the accused and thereby, the trial Court had committed gross error in holding the accused not guilty of the offence.

This Court observed that the cheque was stated to be issued by the proprietor for M/S. Premier Agency and the demand notice had only been issued against M/S. Premier Agency, but while instituting complaint, the name of Prasanna Kumar Baral had been described as accused in the cause title, but ultimately, no demand notice was ever issued against said Prasanna Kumar Baral in individual capacity and the learned trial Court had also held by appreciating the evidence on record that notice u/s 138(b) of N.I. Act had not been served upon the accused.

On the contrary, M/S. Premier Agency had not been made as an accused, although

Mr. Prasanna Kumar Baral had been described as an accused in the complaint being the proprietor of M/S. Premier Agency. Section 141 of N.I. Act mandates that if the person committing an offence u/s 138 of N.I. Act is a Company, every persons who, at the time of offence was committed, was incharge of, and was responsible to the Company for the conduct of business of the Company, as well as the Company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against. In addition, the learned trial Court on appreciation of evidence had also come to a conclusion that notice u/s 138(b) of N.I. Act had not been served upon the accused, which by itself is a incurable defect. Accordingly, this Court upheld the order of the Trial Court.

Maghu Hansda v. State of Orissa

Case Number: CRLA No. 78 of 2005

Date of decision: 24th July 2023

Coram: Former Chief Justice Dr. S. Muralidhar, Justice G. Satapathy

Omission to mention names of the accused in the inquest report is not per se fatal to the prosecution case.

In this case, the appellant has challenged the order of conviction u/s 302 IPC. The case of the prosecution was on 03.06.2003 at about 5pm while Kalia Soren(hereinafter referred to as the “deceased”) and PW1 Pratap Hembram were returning to their village by riding bicycle after selling rice at Gorumahisami weekly market, on the way near Railway level crossing fatak (Gate) at village Kalimati, the Appellant and another came out by the side of a Khajuri(Date Palm Tree) and the other person caught hold of the bicycle of the deceased, who was moving little bit ahead of PW1 and the Appellant Maghu Hansda, to whom PW1 could identify, brought

out a Bhujali from his towel and dealt blows on the chest of the deceased, as a result, the deceased fell down on the ground and out of fear, PW1 returned back to village Kalimati by riding his bicycle as he could not find any male persons and remained in the village Kalimati in the night. Due to assault of the Appellant and the other person by means of Bhujali, the deceased died at the spot.

The Appellant has argued and criticized the impugned judgment mainly on grounds- firstly, the evidence of PW1 was not believable, secondly, the absence of names of Assailants/

Appellant in the inquest report itself suggestive of FIR to be ante-timed and after thought and came to be prepared after due deliberation and consultation, thirdly, non-examination of witnesses to disclosure statement.

This Court has placed reliance on *Brahm Swaroop and another v. State of Uttar Pradesh*, (2011) 6 SCC 288, wherein after noticing the names of the accused persons to have not been filled up in the inquest report, the Apex Court held that omission in the inquest report are not sufficient to put the prosecution out of the Court. This Court further held that merely

because the IO had committed a mistake to omit to mention the names of the assailants in the inquest report or he was not diligent in this regard, it does not necessarily mean by implication or otherwise that the reliable or clinching evidence adduced by the witnesses should be discarded by the Court on the selfsame ground. Hence, in the backdrop of preceding discussion, the argument advanced by the Appellant that omission to mention the names of Assailant in the inquest report to put the FIR as antetimed and product of embellishment merits no consideration. Consequently, this Court upheld the order of conviction.

Bineet Kumar Patel & Anr. v. State

Case Number: CRLMC No. 227 of 2016

Date of decision: 19th October 2023

The Court rejected petition seeking to quash the charge rape against the petitioner basing the meaning of consent under Section 90, IPC and Section 114-A, Evidence Act.

In this case, the petitioner has filed this petition u/s 482 CrPC to drop the offence u/s 376 of IPC from the proceeding. The case of the prosecution is that on 07.08.2009 at about 11.45 AM, OP No.2 lodged a FIR against the petitioners before the IIC Loisingha P.S. alleging therein that on the allurements of marriage, petitioner No.1 had been keeping physical relationship with her for since last six months and as a consequence thereof, when she became pregnant of two months, the petitioner No.1 is deceiving her and petitioner No.2 had been threatening to kill her if she disclose the incident.

The petitioner contended that the allegation on record never discloses a case of rape against the petitioner No.1 and by no stretch of imagination, the sexual act as alleged against the

petitioner No.1 by the victim would vindicate the commission of offence U/Ss. 376 of IPC, but not withstanding to the submission of charge sheet against the petitioners for offence U/Ss. 417/506/34 of the IPC.

This Court held that taking into account the definition of consent as provided in Section 90 of IPC together with presumption as available U/S.114-A of Indian Evidence Act, it cannot be said at this stage that the uncontroverted allegation made in the FIR and the evidence collected in support of the same do not disclose the ingredients of Section 375 of IPC and the commission for other offences and make out a case against the accused, so as to quash the criminal proceeding or the offence u/s 376 of IPC. Therefore, the petition was rejected.

Dr. Biswa Mohan Mishra v. State of Orissa*Case Number: CRLMC No. 1002 of 2017**Date of decision: 14th August 2023***The Court refused to quash the charge under Section 304-A, IPC against a doctor for gross negligence in treating a patient resulting in her death.**

In this case, the petitioner through this petition u/s 482 CrPC prayed for quashing the proceeding initiated against him. The case of the prosecution was that the petitioner was a Doctor and attached to Bhubaneswar Municipal Corporation Hospital at Old Town, Bhubaneswar as a Medicine Specialist. At the relevant time of occurrence on 01.07.2009 at about 6 pm, Madhusmita Sahoo (hereinafter “deceased”) was admitted at bed No. 36 in Medicine Ward of BMC Hospital and she was under the treatment of the petitioner. As the deceased was having low haemoglobin and her condition was getting worse, her uncle requested the petitioner and staff of BMC Hospital to give her blood transfusion immediately for her treatment, but although they assured to give the blood on 02.07.2009, her condition became serious at about 11 P.M. on 01.07.2009 and despite being requested by Doctor Sujata for several times, the petitioner did not respond and thereby, the informant also requested the petitioner, but he refused and asked him to contact with Doctor B.N.Das Mohapatra Surgery Specialist to attend the patient and the said Doctor on being requested over phone assured to direct the petitioner to attend the patient immediately, but unfortunately the deceased died in the midnight due to negligence of the petitioner.

The petitioner submitted that there is absolutely no material against the petitioner to find out any prima facie case U/s. 304-A of IPC. It is also advanced for the Petitioner that had the Ultra Sonography(USG) of abdomen and pelvis of the deceased been done in time, the diagnosis would have been established and treatment could have

been properly provided to the patient(deceased) as opined by the District Medical Board (DMB), but the informant being advised in this regard had failed to conduct the USG and thereby, the family members of the patient were negligent. The Government advocate submitted that despite repeated telephone calls and requests made by Dr.Sujata Samanta, the petitioner refused to come to attend the patient, rather he replied to shift the patient to any private Nursing Home which was a clear-cut violation of public duty and constitute gross negligence and the above fact stands justified by the Call Details Report (CDR) of the petitioner.

This Court placed reliance on decision of the Apex Court in the case of Dr. Suresh Gupta Vrs. Government of NCT of Delhi and another; (2004) 6 SCC 422, wherein it has been held that where a patient dies due to the negligent medical treatment of the Doctor, the Doctor can be made liable in civil law for paying compensation and damages in tort and at the same time, if the degree of negligence is so gross and his act was so reckless as to endanger the life of the patient, he would also be made criminally liable for offence U/S. 304-A of IPC.

This Court held that it is of course true whether the deceased died on account of gross negligence of the Petitioner is a question of fact which can be answered in the trial after evidence is led, but on scrutinizing the materials so collected by the Investigating Agency, there appears some prima facie case against the Petitioner vindicating a trial in this case. Therefore, the application of the petitioner was rejected.



JUSTICE
CHITTARANJAN DASH

Mohammad Hamid Siddiqui v. Najibun Begum

Case Number: CRLMP No. 1232 of 2023

Date of Decision: 12th September, 2023

Family Courts have jurisdiction to entertain maintenance applications under Section 125 of the Cr.P.C.

The Court was hearing a petition filed under Section 482 of the Cr.P.C. seeking to quash the order of the Judge, Family Court, Sonapur whereby he had rejected an objection filed by the petitioner as to the maintainability of an application under Section 125, Cr.P.C. before the Family Court.

An interesting question of law arose before the High Court to adjudicate and answer as to whether a Family Court has jurisdiction to entertain applications filed under Section 125 of the Cr.P.C. seeking maintenance or such applications can exclusively be heard by Magistrates only.

An additional question which came for consideration before the Court is whether

a Muslim wife can seek maintenance under Section 125 of the Cr.P.C. even after she was given 'dower' or 'Mahr' within the 'iddat period'.

The Court was of the considered opinion that a Muslim lady, even after her divorce, can opt to be governed by the Cr.P.C. and thus, can seek maintenance under Section 125 as it is a secular provision and more beneficial than that of the provisions under the personal law.

It was further clarified that Family Courts have jurisdiction to entertain applications for maintenance under Section 125 of the Cr.P.C. Therefore, the petition filed by the petitioner seeking to quash the order of the Judge, Family Court, Sonapur was rejected.

Raju Banjara & Ors. v. Bhikaru Gond

Case Number: RSA No. 228 of 2020

Date of Decision: 22nd September, 2023

"Law helps a vigilant, not an indolent": the Court rejected to condone delay of 2989 days in filing second appeal.

The appellants filed an application seeking condonation of delay of around 2989 days in filing the Regular Second Appeal. The original

decree was passed on 22.02.2014 whereas the appeal was filed only on 31.12.2020, even though the prescribed limitation period for

filing such appeal is only 90 days from the date of decree.

The appellants submitted that they obtained the certified copy of the decree and handed over the same to their lawyer for filing of the appeal. However, the lawyer did not care to file the same within the limitation period and due to such callous attitude of their lawyer, they are made to suffer.

The Court, at the outset, cited the Latin maxim *Vigilantibus non dormientibus jura subveniunt* which means the law will not help those who sleep on their rights. It was of the view that though the Court is empowered to condone delays even after the expiry of statutory prescribed period but the same can only be done when the party satisfies the

Court that he could not file the appeal due to 'sufficient cause'.

In this case, the Court perused the case records and came to learn that the appellants have, in fact, applied for the certified copy of the decree only on 03.11.2020, which is much beyond the limitation period. The Court was taken aback by the conduct of the appellants in justifying the delay by putting the blame on their lawyer. While denying relief to the appellants, the Court observed as follows:

"It is trite that law helps a vigilant, not an indolent. In the instant case the Appellants have remained completely recalcitrant in espousing his cause and made up his mind one fine morning to agitate the same. The Appellants had absolutely no mind to file Appeal."

Samel Digal @ Saswat Ku. Digal & Ors. v. State of Odisha & Anr.

Case Number: CRLMC No. 3580 of 2023

Date of Decision: 28th November, 2023

Offence of rape being a crime against the society cannot be compounded through mutual settlement.

The petitioner filed an application under Section 482 of the Cr.P.C. seeking to quash the entire criminal proceeding pending against him under Sections 376(2)(n)(3)/313/323/506/34 of the IPC read with Section 6 of the POCSO Act.

The petitioner allegedly forced the prosecutrix, aged about 16 years, to have sexual intercourse with her repeatedly putting her under the threat that in case the matter is disclosed, he would kill her as well as her family members.

The victim became pregnant due to repeated sexual intercourse for which an FIR was registered against the petitioner. Later on, the petitioner got married to her. Upon the intervention of village gentries, the matter

was said to amicably settled between the petitioner and the victim. An affidavit was filed to that respect. It was argued on behalf of the petitioners that continuation of the criminal proceedings would be an abuse of process of law.

However, the Court was not convinced by such argument and made it clear that offence under Section 376 of the IPC being a sexual offence would fall in the category of heinous offences, which is to be treated against society and not against an individual. Therefore, it was held, criminal proceedings for offence under Section 376 of IPC cannot be quashed in a proceeding under Section 482, CrPC.

Sk. Sadab Kadir & Ors. v. Saher Saniya

Case Number: CRLMC No. 379 of 2023

Date of Decision: 1st December, 2023**‘Domestic Incident Report’ is not mandatory before granting interim relief to the applicant under Section 12 of the Domestic Violence Act.**

The Court was hearing a petition filed under Section 482 of the Cr.P.C. which sought to quash a criminal proceeding pending against the petitioners before the learned S.D.J.M., Angul.

The Opposite Party No. 2 had filed an application under Section 12 of the Protection of Women against Domestic Violence Act, 2005 against her in-laws, i.e. the petitioners, accusing them of demanding dowry and causing mental as well as physical harassment to her for such purpose.

It was argued on behalf of the petitioners that the application filed by the lady is not maintainable on the ground that no Domestic Incident Report (DIR) had been obtained from the Protection Officer and in absence thereof, no relief under Section 12 can be granted. On the other hand,

the counsel for the State vehemently opposed the above argument raised by the petitioners.

The moot question which arose before the Court for consideration was whether trial Courts are empowered to grant interim relief to applicants even if no DIR is received from Protection Officers.

The Court, after relying upon the decisions of the High Courts of Bombay and Jammu & Kashmir, came to hold that as per the mandate under Section 12(1) of the Act, the Courts are required to take into consideration the DIRs, wherever it is available, before granting interim relief. However, the Court made it clear that DIR is not mandatory and hence, not a pre-requisite for grant of interim relief.



Applique ('chanduakama') displayed in Judges' Lounge



JUSTICE
SIBO SANKAR MISHRA

Nihar Ranjan Choudhury v. State of Odisha & Anr.

Case Number: W.P.(C) No.21793 of 2021

Date of decision: 6th November 2023

Prolonged deprivation of service benefits/promotion to a government employee on the ground of pending criminal trial amounts to 'double jeopardy'.

In this case, The Petitioner was seeking direction against the Opposite Parties to give promotion to him to the post of Deputy Executive Engineer, Executive Engineer and Superintendent Engineer from the date his immediate juniors got such promotion and to grant him all consequential service benefits. The Petitioner was facing a criminal prosecution initiated in the year 2001, therefore, although DPC had recommended his case for promotion but sealed cover procedure has been adopted owing to the pendency of the criminal prosecution against him. There is no disciplinary proceeding initiated by the department against him.

The Government Advocate vehemently opposed the prayer made by the Petitioner and contended that no ad-hoc promotion pending vigilance proceeding could be given to the Petitioner in view of the judgment of the Division Bench of this Court passed on 11.05.2023 in W.A. No.805 of 2021 and batch of Writ Appeals. The Petitioner relied upon the judgment of the Division Bench of this Court passed on 06.05.2022 in W.P.(C) No.18500 of 2015, which squarely covers his case. In the said case as well, pending vigilance proceedings although the DPC had recommended the promotion of the Petitioner, but the same

was withheld keeping the result in the sealed cover. Therefore, the Division Bench of this Court had directed to open the sealed cover and grant promotion accordingly.

This Court observed that it is necessary to ensure that the disciplinary case/criminal prosecution instituted against any Government servant is not unduly prolonged and all efforts to finalize expeditiously the proceedings should be taken so that the need for keeping the case of a Government servant in a sealed cover is limited to the barest minimum. It has, therefore, been decided that the appointing authorities concerned should review comprehensively the cases of Government servants. In the present case since 2014, the DPC has recommended the case of the Petitioner for promotion, which has been kept in the sealed cover without even once subjecting the same to review. This is nothing but adding insult to the injury. Unexplained prolongation of criminal trial violates the constitutional rights of an accused and denial of statutory or any other rights, for that matter, for a delinquent officer/government servant impending such delayed trial is indeed a case of double jeopardy. Therefore, this Court allowed the petition.

Tapan Kumar Das v. State of Odisha & Ors.*Case Number: W.P.(C) No.21003 of 2021**Date of decision: 15th September 2023***Rules of natural justice are needed to be followed even before terminating service of a contractual employee.**

In this case, the Petitioner raised his grievance that he was working as a Junior Engineer (Civil) on contractual basis. While serving as such he was terminated from service on 08.06.2020 on the basis of certain allegation of irregularities committed by him. He was not subjected to any disciplinary proceeding as mandated in the provision of OCS (CC & A) Rules, 1962, therefore, he alleged that the unilateral termination order dated 08.06.2020 is directly in violation of the principle of natural justice.

The Petitioner contended that the termination order passed against the Petitioner should have been preceded an inquiry by giving the Petitioner sufficient opportunity to explain. Although record reveals that the entire departmental inquiry has been conducted to ascertain the allegation but the said inquiry appears to be a unilateral inquiry without affording any opportunity to the Petitioner to explain the allegation made against him.

The Counsel for the State contended that a detailed inquiry was conducted by the

Superintending Engineer in Rural Works Circle, Sambalpur. At the time of said inquiry the Petitioner was also present and an opportunity was afforded to him to explain. The said inquiry culminated into an inter-departmental report dated 09.05.2020. Perusal of the said inquiry report indicates that it is unilateral report which appears to have been submitted on the basis of site inspection and the explanation offered by the Petitioner is not even taken into consideration.

This Court is not impressed with the argument that being a contractual employee no rules or procedure are required to be followed before disengaging him. It is rather the settled position of law that even in case of a contractual employee the rules of natural justice are required to be followed to the hilt. In the instant case, as already stated, the enquiry was conducted entirely behind the back of the petitioner, inasmuch as he was not given any opportunity to participate and to have his say therein. On this ground alone, this Writ Petition was liable to be allowed.

Raghunath Naik v. State of Odisha & Ors.*Case Number: W.P. (C) No. 36822 OF 2022**Date of decision: 29th September 2023***The Court held that caste of a person is determined by birth.**

In this case, the Petitioner had challenged the order passed by the Opposite Party No.3 removing him from the service with effect from 28.01.2011. The Petitioner was provisionally

appointed as a Sepoy on 22.12.2006 after undergoing the rigors of the recruitment process. In the appointment letter dated 22.12.2006, there is a recitation that the appointment is

purely provisional and temporary. In case of any discrepancy/falsity/adverse report, they would be summarily discharged from service without calling for any explanation and whenever necessary appropriate criminal proceedings will also be initiated against them.

At the time of appointment, the Petitioner relied upon a Caste Certificate to avail the reservation benefit under Schedule Caste category. He produced a Caste Certificate No.3661 of 2003 purported to have been issued by the Tahasildar, Dhenkanal. A verification report was received from the Additional Tahasildar with regard to the said certificate. On the basis of the said verification report, the Petitioner was suspended from 22.05.2010 and was subjected to a departmental proceeding. In the departmental proceeding the Tahasildar, Dhenkanal was examined, who deposed against the Petitioner inter alia stating that the Caste Certificate produced by the Petitioner bearing No.3661 of 2003 purported to have been issued by the Additional Tahasildar, Dhenkanal is a forged one and the same is not matching with the entry made in the Register maintained at the Dhenkanal Tahasil.

The Petitioner was put to trial under G.R. Case No.857 of 2010. The learned trial Court on 07.12.2011 framed charges against the Petitioner under Section 468/420 of I.P.C. and subjected the Petitioner to trial. Eventually the trial Court vide its detailed judgment dated 13.10.2022 recorded an acquittal in favour of the Petitioner and stated that the prosecution had failed to establish the case against the Petitioner. Since no Appeal has been preferred by the State against the acquittal order passed

in favour of the Petitioner before any superior court of law, the acquittal order attains finality.

The Petitioner contended that the Caste Certificate subsequently produced by the Petitioner in the year 2010 is found to be genuine, however since the Petitioner had applied for the Post of Sepoy in 2006 on the basis of a Caste Certificate of 2003 and the said Caste Certificate is not a genuine document. From the factual scenario it emerges that the Petitioner belongs to Schedule Caste category being a "PANA". The Government Advocate submitted that the certificate he produced at the time of applying for appointment to the post of Sepoy was a forged document. The Petitioner was subjected to a departmental proceeding and it is established that he had used a forged document to be a genuine one for the purpose of availing reservation in the appointment. Therefore, he submits that although the Petitioner is a Schedule Caste, the fact that he had used a forged certificate cannot be doubted in view of the deposition made by the Tahasildar, Dhenkanal in the departmental proceeding.

This Court while placing reliance on the decision of the apex Court in Civil Appeal No.487 of 2018 in the case of Sunita Singh vs. State of Uttar Pradesh & others and stated that there cannot be any dispute that caste be determined by birth and if born as a Schedule Caste, it always remain and continuing a Schedule Caste. The fact of the present case being same, it cannot be doubted that the Petitioner belongs to Schedule Caste being a "PANA". Therefore, his entitlement to the reservation for the post of Sepoy cannot be found fault with.

Shantilata Pradhan v. State of Odisha & Ors.*Case Number: W.P.(C) No.16230 of 2021**Date of decision: 6th October 2023***Transfer of an employee from under one authority to another shall be deemed to be 'deputation'.**

In this case, the Petitioner assailed the office order dated 31.03.2021 passed by the Opposite Party No.3 thereby relieving her from Talcher-Angul-Meramandali Development Authority (TAMDA) with effect from 31.03.2021 and to join Paradeep Development Authority. The Petitioner had joined as an Architectural Assistant in the Office of the Special Planning Authority of Paradeep Development Authority. While she was posted there, an office order was issued on 20.12.2014 by the Additional Secretary to Government of Odisha, Housing and Urban Development Department transferring her from Paradeep Development Authority to Talcher-Angul-Meramandali Development Authority (for short 'TAMDA'). The said transfer appears to be in place of one Smt. Nilima Mohapatra, Architectural Assistant who was employed in TAMDA. The office order indicates that the petitioner and Smt. Nilima Mohapatra were transferred in exchange between the two authorities.

The issue in the present matter is whether the office order dated 20.12.2014 is a mere transfer on mutual basis or it is a transfer on deputation. Bare reading of Sub-Section (3) of Section 4 of Odisha Development Authorities Act, 1982 indicates that for the purpose of smooth and efficient administration of the affairs of the Authorities, the State Government at the instance of any Authority can depute any officer from other Authority for a period not exceeding six years. After the expiry of six years,

the officer would be reverted back to his/her parent employer.

This Court observed that the office order dated 20.12.2014 indicates that the Housing and Urban Development Department of the State of Odisha had intervened and passed the said order transferring the petitioner from M/s. Paradeep Development Authority to TAMDA. The contention was petitioner is trying to derive advantage from the expression 'transfer' used in the said letter. But in fact the word 'transfer' loosely used in the office order dated 20.12.2014, in place of the word 'deputation'. Because there was no occasion for the State Government to pass any order transferring an employee of one Authority to the other except on deputation under the command of sub-section (3) of Section 4. Therefore, the order dated 20.12.2014 was nothing but an order of transfer of the petitioner on deputation from her parent organization, i.e., M/s. Paradeep Development Authority to Talcher-Angul-Meramandali Development Authority. Since the period of deputation expires on 30.12.2020 after completion of six years, the TAMDA have issued the impugned office order dated 31.03.2021 repatriating the petitioner to its parent organization, i.e., Paradeep Development Authority. To that extent, no fault can be found on the issuance of such direction. Therefore, the Writ Petition was dismissed being devoid of merits.



JUSTICE
ANANDA CHANDRA BEHERA

Sauri Behera & Ors. v. Nilamani Behera & Ors.

Case Number: RSA No. 356 of 2008

Date of Decision: 10th November, 2023

Without assailing the Record of Rights (RoR) prepared by the consolidation authorities indicating (reflecting) the status (relationship) of the parties, before any statutory higher forums under OCH and PFL Act, 1972, the suit for injunction disputing such status (relationship) of the parties reflected in the consolidation RoR is not entertainable.

An appeal was preferred before the High Court challenging the judgment and decree of the first appellate Court, whereby it upheld the decision of the trial Court by denying the relief sought by the plaintiffs, i.e. appellants herein.

The original suit was filed by the male ancestor of the present plaintiffs and after his death, the present plaintiffs were added as legal representatives. The ancestor of the plaintiffs had filed the suit against the defendant, i.e. the first respondent herein, for declaration of right, title, interest over the suit land and to permanently injunct him from claiming right over the share of property which the plaintiff had.

The suit property belonged to the maternal grandfather of both the original plaintiff and the defendant. The original plaintiff filed a civil suit praying to declare the defendant as the son of his father, which was disputed by the defendant who claimed to be the son of the first husband of their mother. Had the defendant

been the son of the second husband of his mother, he would have been deprived of his rights over the suit property being the son of a widow who remarried.

For determining the rights, the Court referred to the Record of Rights (RoR) prepared by the consolidation authorities in respect of the suit properties, wherein it was indicated that the defendant is the son of the first husband of the mother of the plaintiff. It was also noted that the said RoRs were prepared much prior to the filing of the suit. However, the same was not challenged.

The Court, therefore, held that when the RoRs reflecting the status of the parties were prepared much prior to the filing of the suit by the consolidation authorities and the same were not challenged before any competent higher forum of the consolidation, then the suit of plaintiff for injunction against the defendant without getting the RoRs set aside is not entertainable.



Collector, Koraput v. Sunadhar Pujari & Ors.

Case Number: S.A. Nos. 75 & 76 of 1987

Date of Decision: 30th November, 2023

Suit concerning property of a Hindu deity cannot be adjudicated without impleading the deity as a party.

The Court was in seisin over a second appeal preferred by the Collector, Koraput against the judgment and decree passed by the first appellate Court confirming the decision of the trial Court. The original plaintiffs had filed the suit seeking their title over the suit lands and confirmation of their possessions thereon.

The suit lands were 'pujariservice lands' which are meant to be allotted in favour of persons serving the deities. The trial Court, taking all the evidence into consideration, had decreed the suit in favour of the plaintiffs holding that they are the pujaris of the village deities.

The matter was challenged before the first appellate Court by the defendants (another pujari and the Collector, Koraput). However, the first appellate Court did not find fault with the judgment and decree passed by the trial Court and accordingly, confirmed them.

When the case was brought before the High Court, it was observed that as the suit lands are the 'pujari service lands', the pujaris cannot seek proprietary rights over the same. It is so because as per the settled law, the deity is the

owner or the 'Bhumiswami' of the land and the pujaris only hold the possession of property in 'managerial' capacity for their service to the deity.

The Court cited several precedents to hold that a Hindu deity is a juristic person and a perpetual minor, who though can be sued, but needs representation through human agencies. Therefore, as per the Odisha Hindu Religious Endowments Act, 1951 (the 'OHRE Act'), the Commissioner of Endowments must have been noticed before conducting the trial to represent the deity. However, as the same was not done in this case, the Court held that the suit is bad in the eyes of law since a necessary party, i.e. the deity has not been added as a defendant.

Further it held that when pujari claims proprietary rights over the property of the deity, it tantamounts to mismanagement. Furthermore, it observed that when the dispute relating to properties of the deities are leading to disturbances in the puja of the deities, the matter deserves to be adjudicated by the appropriate authority/tribunal constituted under the OHRE Act and not by a Civil Court.

Jogendra Patel v. Fanibhusan Patel

Case Number: R.S.A. No. 447 of 2015

Date of Decision: 21st December, 2023

It is mandatory for Courts to answer all the issues framed during trial and that they cannot decide suits only by answering a technical issue.

The Court was hearing a second appeal against the judgment and decree passed by the first

appellate Court confirming the decision of the trial Court. The plaintiff had filed the suit seeking

declaration of title of the disputed property in his favour and to permanently injunct the defendant from encroaching upon his possession of the suit land.

The trial Court had framed six issues for consideration and decision. One of such issues was whether the suit is bad for non-joinder of necessary parties. During the trial of the suit, both the plaintiff and the defendant deposed that the suit land has been acquired by the Government. However, the Government was not impleaded as a defendant.

Taking into account the non-joinder of Government, the trial Court answered only the aforesaid issue and held that the suit is bad for non-joinder of a necessary party, i.e. the Government. Without answering any other issues, as framed by it, it dismissed the suit.

Being aggrieved by the decision of the trial Court, the plaintiff filed the first appeal before the first appellate Court, which upheld the decision of the trial Court taking the same ground that

the Government has not been impleaded as a party in the suit and therefore, it is bad for non-joinder of a necessary party.

When the second appeal was carried to the High Court, it was of the considered view that both the trial Court as well as the first appellate Court erred in answering merely a technical issue and deciding the entire suit only on the basis of that issue, letting all other issue go unanswered. It underlined the provision under Order 20 Rule 5 of the CPC, which mandates the trial Courts to decide all the issues at the time of passing judgments and decrees.

The Court further held that it was the duty of the first appellate Court to point out the error committed by the trial Court in not answering all the issues and it ought to have decided all the issues itself. However, as the first appellate Court also failed to follow the clear statutory mandate, the High Court had no other option but to remand the matter back to the trial Court for fresh adjudication.

Natabar Sahu (dead) & Anr. v. Dhaneswar Moharana & Ors.

Case Number: S.A. No. 110 of 1987

Date of Decision: 21st December, 2023

Unregistered lease deed, other than for agriculture or manufacturing, cannot be for beyond a year; Tenant is bound to vacate the land on 15 days' notice by the landlord U/S. 106, TP Act.

The Court was hearing a second appeal filed by a tenant against the order of the first appellate Court which decreed in favour of the landlord, directing him (tenant) to vacate the land within one month along with an order to pay the arrears rents of the suit property.

The substantial question of law which arose for the consideration of the Court is that whether

the tenant has any right to continue on the suit land after receiving notice under Section 106 of the Transfer of Property Act, 1882 from the landlord to vacate the land, especially on the basis of a lease deed which is not a registered one.

The Court cited various precedents from the Hon'ble Supreme Court as well as High Courts to conclude that lease deed in respect of land

is compulsorily needed to be registered, unless it is let out for the purpose of either agriculture or for manufacturing. When the land is leased for any purpose other than the above two, then the deed must be a registered one if it is intended to be let out for a period more than one year.

It was also held by the Court that when tenancy is claimed on the basis of an unregistered lease deed, the same cannot be held to be 'permanent'

and it can at best be on monthly basis. Therefore, the landlord has the right to ask the tenant to vacate such land giving him 15 days' notice. Any occupancy beyond that period shall be considered as 'trespassing'.

Accordingly, the Court refused to interfere with the order of the first appellate Court which had ordered the tenant to vacate the land within one month lock, stock and barrel and to pay the arrears of rent.



Dongaria painting displayed in the Judges' Lounge

CHAPTER



PUBLICATIONS



Judges' Library

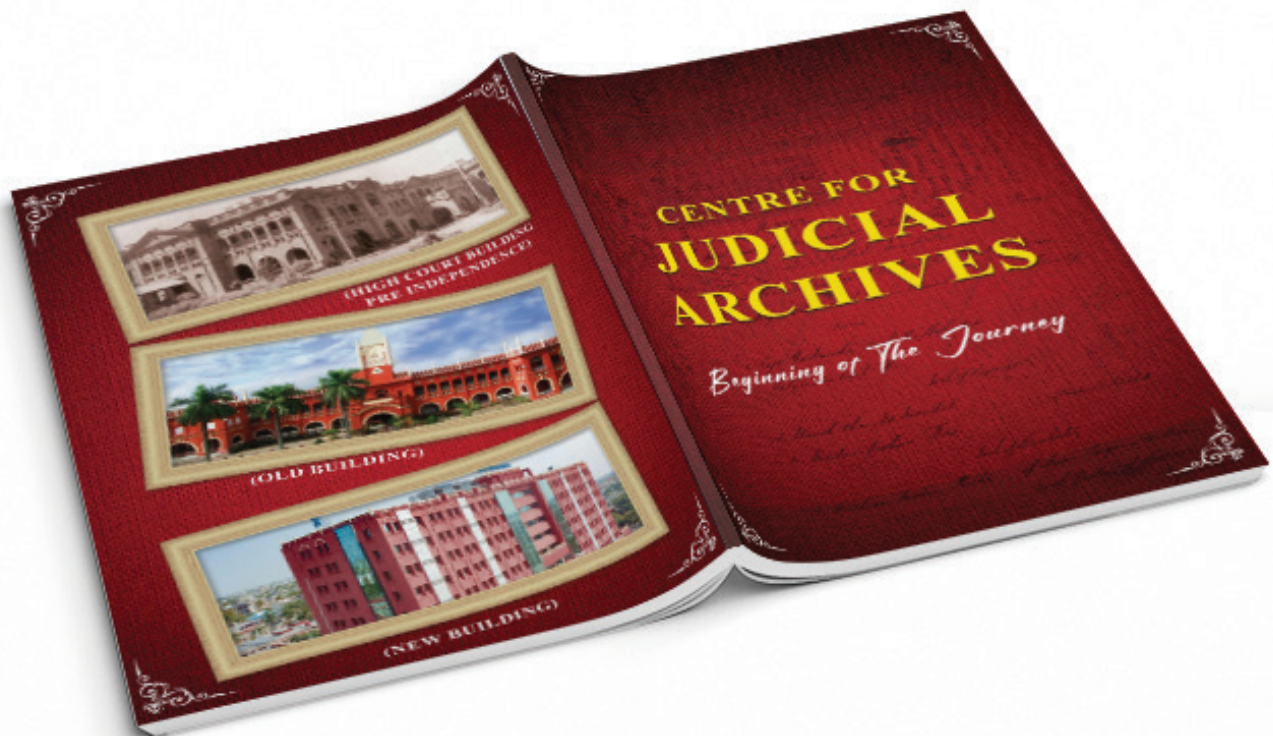
Publications

While 2021 and 2022 were the years of new initiatives for the High Court, 2023 added a new dimension to its innovations. During this period, the High Court undertook publication of various books including small booklets and newsletter apart from the Annual Report, 2022. The publications include Centre for Judicial Archives: Beginning of the Journey, Making of Museum of Justice, Centre for Judicial Archives: The Journey of a Glorious Year, the Judicial History of Odisha, Volume-I, Souvenir on the occasion of 75th year of the High Court, VIth Issue of Shishu Surakhya - Newsletter and the Quiz Book.

Centre for Judicial Archives: Beginning of the Journey

On 28th January 2023, on the occasion of Foundation Stone Laying Ceremony of Centre for Judicial Archives a booklet named "Judicial Archives: Beginning of the Journey" was released. It contains the glimpses of its

initial days - the background of its formation of the Centre, planning of acquisition of records, cataloguing, preservation and digitization, setting up of conservation laboratory and research centre etc.

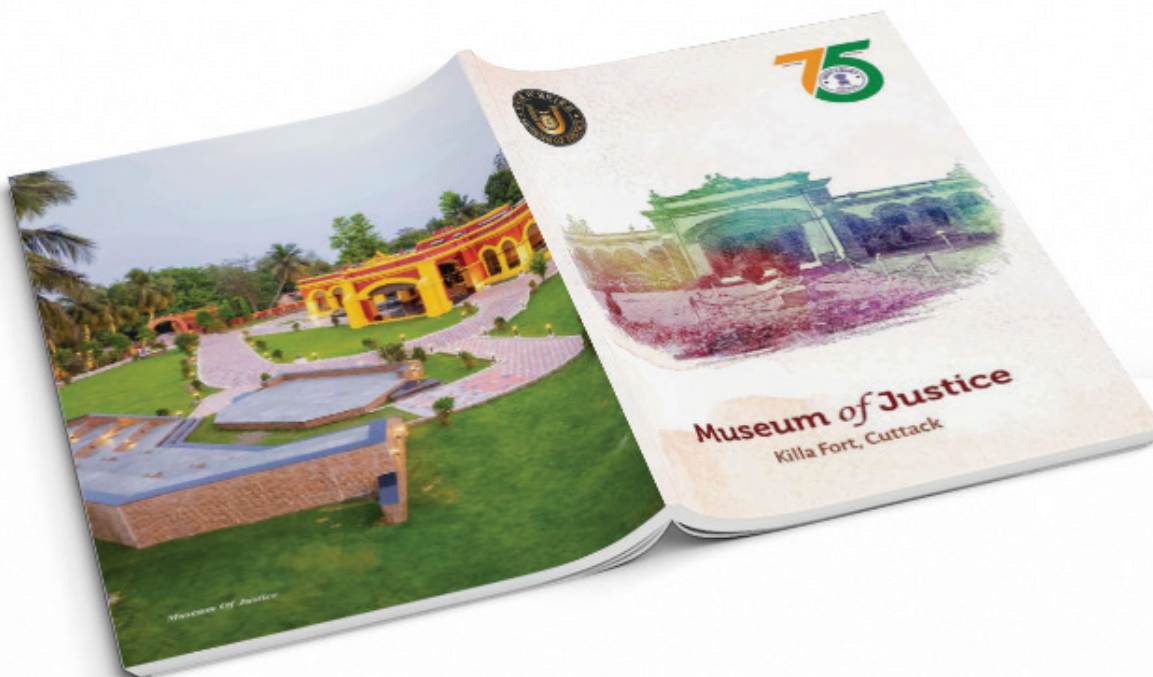


(Left) Back Cover and (Right) Front Cover of the Booklet

Making of Museum of Justice

On 25th February 2023, on the occasion of inauguration of Museum of Justice, Cuttack a booklet named “Making of Museum of Justice: By INTACH, Odisha” was released. It contains

the background of the decision to rejuvenate the Museum of Justice and the steps taken in that regard along with information about the Galleries showcased in the Museum.



(Left) Back Cover and (Right) Front Cover of the Booklet

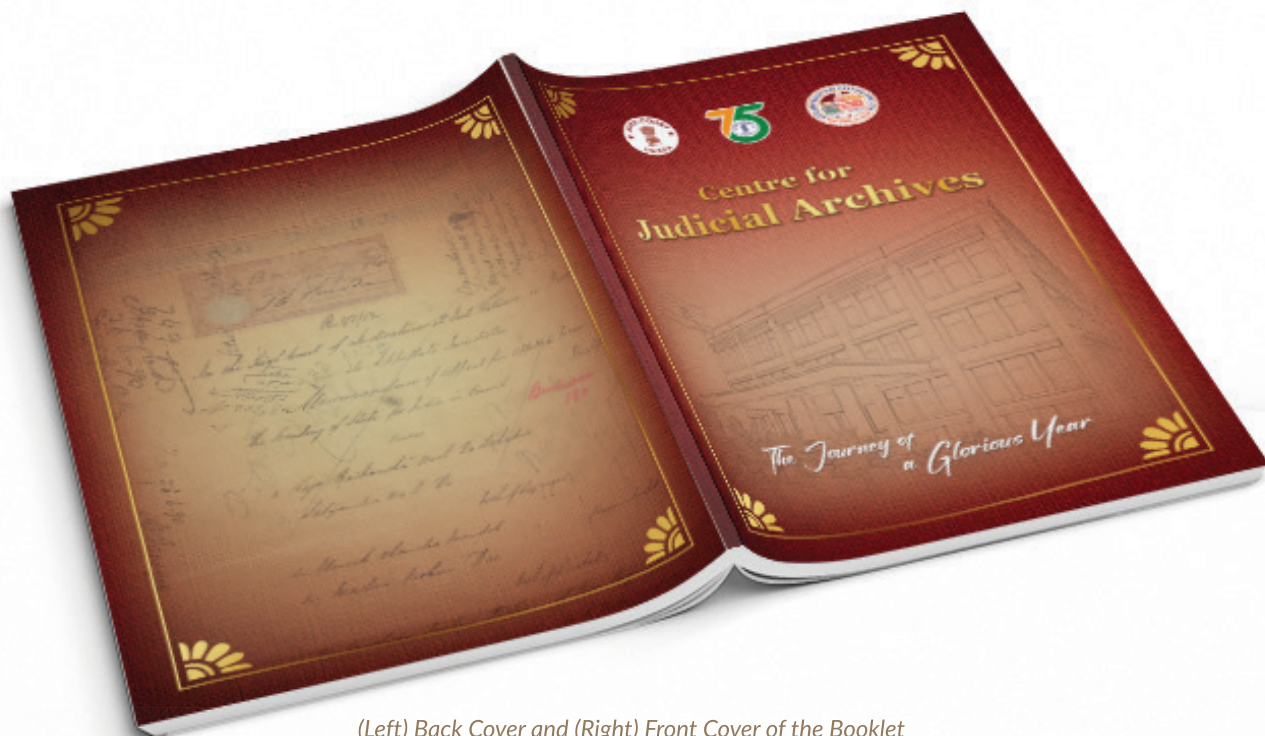


Inner pages of the Booklet

Centre for Judicial Archives: The Journey of a Glorious Year

On 10th May 2023, on completion of one year of the Centre for Judicial Archives a booklet named "Centre for Judicial Archives: The Journey of a Glorious Year" was released. It contains

information about conservation and digitization of archival records and the SOP for the scholars to consult the archival records of the Centre for research.



(Left) Back Cover and (Right) Front Cover of the Booklet



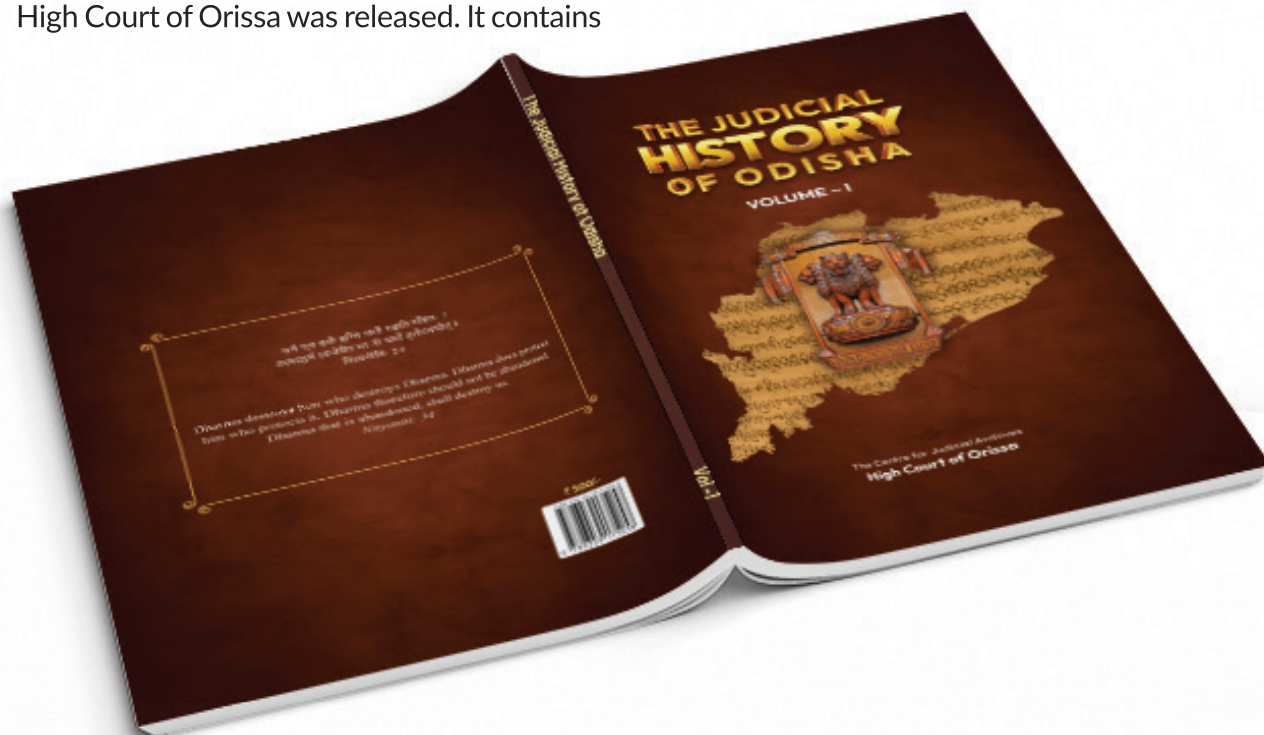
Inner pages of the Booklet



The Judicial History of Odisha, Volume-I

On 14th July 2023, in the National Conference on Judicial History and Archiving the much awaited “The Judicial History of Odisha, Volume-I” published by the Centre for Judicial Archives, High Court of Orissa was released. It contains

the evolution of the system of administration of justice in Odisha in ancient and medieval periods along with early British footprints in the State.



(Left) Front Cover and (Right) Back Cover of the Book



Inner pages of the Booklet



Souvenir

On 26th July, 2023 in the Valedictory Function of the 75th year celebration of the High Court a Souvenir of the High Court of Orissa containing messages of the President of India, the Prime

Minister of India and various high dignitaries along with articles of legal luminaries and judicial officers on topics of law in general and the institution in particular was released.



(Left) Front Cover and (Right) Back Cover of the Book

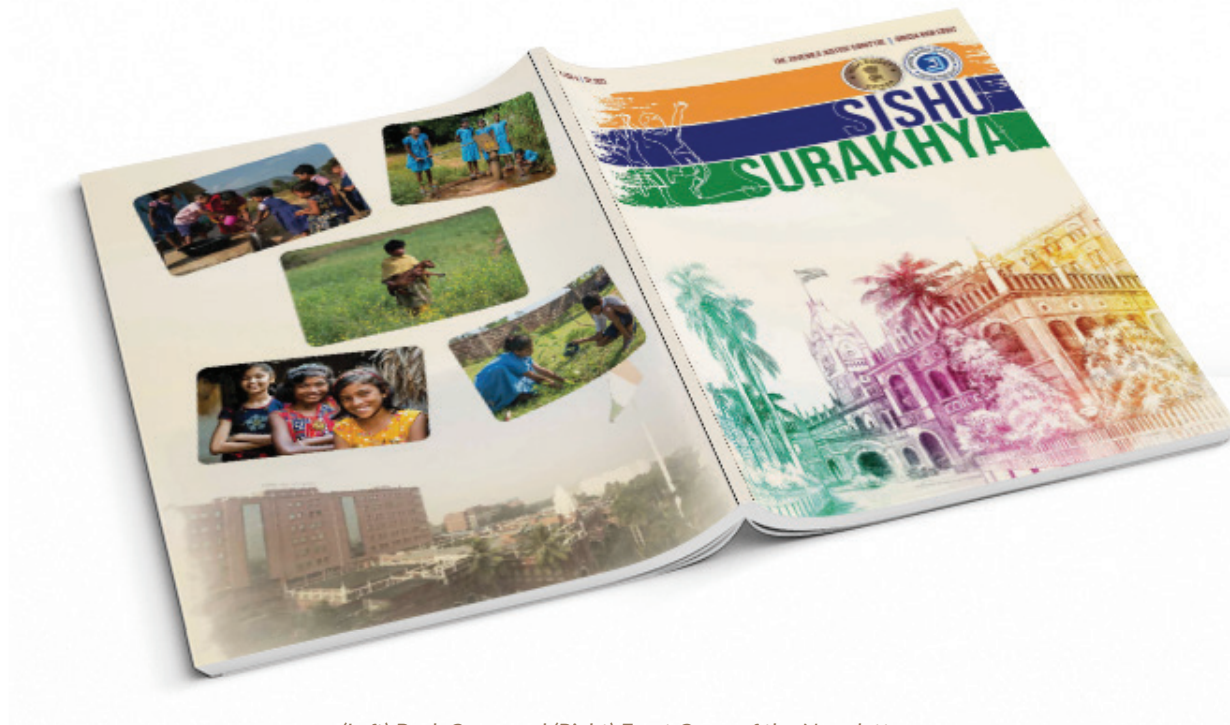


Inner pages of the Booklet

Vlth Issue of Shishu Surakhya - Newsletter

On 22nd September, 2023 Quarterly newsletter 'Shishu Surakhya' was released. It emphasizes the role of Juvenile Justice Committee in monitoring the effective coordination of the child care institution and the implementation of

Integrated Child Protection Scheme to protect the child in need of care and protection and to formulate the plan for reintegration of the child in conflict with law with the help of Juvenile Justice Board and other stakeholders.



(Left) Back Cover and (Right) Front Cover of the Newsletter



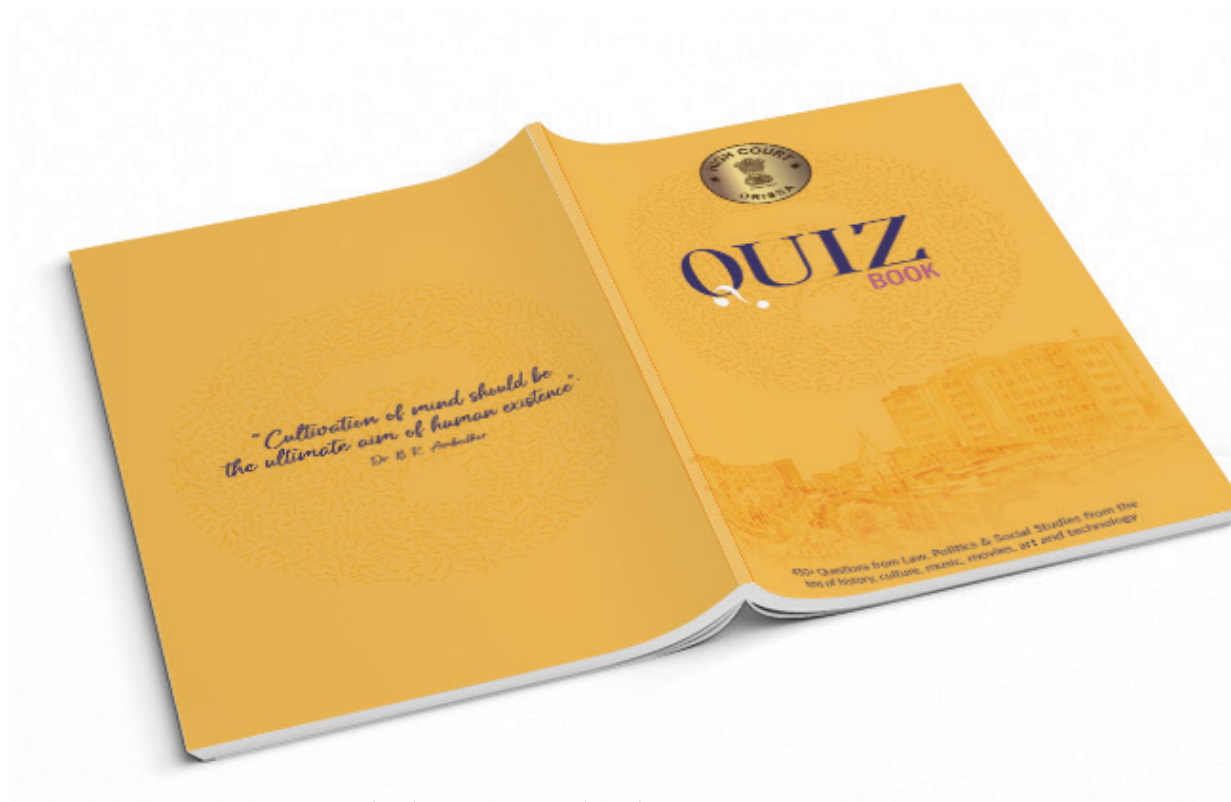
Inner pages of the Newsletter



Quiz Book

On 17th November, 2023 a book containing all the questions of the quizzes held for law students and judicial officers was published. The questions have been arranged in 13 different chapters

based on various topics basically from law, politics, social studies from the lens of history, culture, music, movies, art and technology.



(Left) Back Cover and (Right) Front Cover of the Book



Inner pages of the Booklet



Corridor of Mediation Centre, Aain Seva Bhawan

CHAPTER



INTROSPECTION



M.K. Gandhi

Statue of Mahatma Gandhi at New Court Building

2nd October 1869 - 30th January 1948

Introspection

The last few years have witnessed concerted efforts by the judiciary in Odisha to introspect and improve upon its previous performance. Such exercise has helped in identifying the challenges and finding ways to tackle them effectively. 2023 saw considerable progress in certain areas. Loss of court working hours could be reduced substantially. Establishment of Virtual Centres of the High Court in the

Districts has enabled the lawyers and litigants in remote corners to file, appear and argue in the cases before the High Court. Steps like setting up of paperless courts in district judiciary and implementation of NSTEP etc. have greatly eased its functioning. However, a lot still remains to be achieved in order to make the judiciary move responsive to the problems of litigants.

Reduction in loss of working hours

Loss of Court working hours was one of the biggest stumbling blocks faced by judiciary till the end of 2022. This major challenge could be overcome due to the orders passed by the Supreme Court on 12th December, 2022 and 14th December, 2022 in TP(C) No. 2419 of 2019 [M/s. PLR Projects Pvt. Ltd versus Mahanadi Coalfields Ltd. and others]. Earlier, frequent holding of references due to deaths of lawyers and judges caused huge loss of court hours in the High Court. In district judiciary, the main

reasons for the loss of court hours were cease work, picketing and strike by lawyers. References are now being held in the High Court and district judiciary at best once in a month after 3 pm. Besides, cease work, picketing and strike by lawyers in the district judiciary has become zero.

While 3,118 court working hours were lost in the High Court in 2022, it came down to 2,009 hours in 2023. Similarly, the loss of court working hours in district judiciary came down from 2,22,447.6 hours in 2022 to 19.37 in 2023.

Judges strength

The sanctioned strength of judges in the High Court in 2023 remained at 33. The working strength was 22 as on 1st January, 2023 and 20 as on 31st December, 2023.

The sanctioned strength of district court judges as on 31st December, 2023 was 1011. The working strength as on 1st January, 2023 was 815 and as on 31st December, 2023 it was 801.

13 officers in the cadre of District Judge were

inducted into the judicial service in 2023 leaving a vacancy of 36 posts which would be filled up in 2024.

For 53 vacancies to be filled up in the cadre of Civil Judge, recruitment was conducted by the Odisha Public Service Commission through preliminary examination, main written examination and viva voce test, and 50 candidates were selected and appointed in 2023.



Impact of rationalization of case loads

After the resolution passed in the District Judges' Conference, 2022, steps were taken for rationalization of case load among different courts so as to ensure an optimal distribution. In the process, about 3 lakhs cases were transferred by the transferring courts to

the trial courts and 25 new cognizance taking courts were inaugurated across the state in 2022. Its positive impact was felt in 2023. This has greatly improved the efficiency of the courts in district judiciary.

Disposal of old cases

The pendency of old cases in both civil and criminal side, particularly the 25-40 years old and more than 40 years old, was a challenge for the district judiciary. Pendency of 25 to 40 years old cases reduced from 4637 to 2169 at the end of 2023. Similarly, the pendency of more than 40 years old cases reduced from 32 to 26. This could be achieved due to consistent overseeing and monitoring of the pendency and disposal of cases by the Administrative Judges of the respective districts.

The pendency of more than 25 years old cases is reviewed by the Administrative Judges every month. The challenge Still remains to reduce the pendency of more than 25 years old cases to zero. While pendency of such civil cases came down from 1,210 to 812 at the end of

the year, pendency of the criminal cases was reduced from 3,427 to 1,357.

Despite sincere attempts, desired result could not be achieved in respect of 40 years old cases. The pendency of 40 years old civil and criminal cases has come down from 32 to 26.

High Court has prioritized to achieve 100% Case Clearance Rate (CCR) to avoid docket explosion. District judiciary is being persuaded to maintain at least 100% Case Clearance Rate (CCR). In 2023, the judgeships of Cuttack, Gajapati, Kalahandi, Puri and Rayagada have attained more than 100% CCR. Despite all such sincere attempts, the district courts could not achieve the CCR of 128.77% of 2022.

Infrastructure

In recent years much emphasis has been laid in improving the infrastructure of the district judiciary including stakeholder-friendly court complexes and residential accommodation for judicial officers and staff. In 2023, 8 Taluk Court Buildings and one Bar Hall and Amenity Centre in different districts were completed

and inaugurated and 5 residential quarters for judicial officers were constructed. Besides, foundation stone for 550 staff quarters for the High Court employees was laid at Cuttack in 2023. Steps are being taken to enhance security of Court Buildings by CCTV surveillance.

Traditional Challenges

In criminal cases before the district judiciary, non-execution of warrants and long abscondance of accused persons have remained the major challenges as before, though there has been some progress in procuring attendance of official witnesses due to facility of virtual court hearing. The District Judges are being persuaded by the Administrative Judges to coordinate with the police administration for expeditious execution of warrants.

On the civil side, non-availability of Salaried Amins was causing problem in disposal of execution cases. In 2023, 65 posts of Salaried Amins were created by the State Government in the district courts across the state pursuant to the resolution adopted in the District

Judges' Conference which would help in disposal of execution cases.

Implementation of NSTEP has helped in service of summons on parties. Under this project, mobile phones with GPS tracking facility have been supplied to the process servers across the state through which their movement can be tracked and real time status of service of summons can be checked by the courts. However, dearth of adequate number of process servers is a problem for execution of writs and service of summons.

Undoubtedly, challenges remain as there is still a lot to be done to fulfill the constitutional obligations in the true sense. Odisha judiciary remains committed to work in that direction with sustained vigour.



Pink soapstone craft depicting "banyan tree" displayed in Chief Justice's chamber



Palm leaving engraving or "tala patra chitra" displayed in Judges' Lounge



APPENDICES



Court Hall at New Court Building



Appendix-A

Detailed Case Statistics of the High Court for the year 2023

Case Statistics of High Court for the year 2023													
THE HIGH COURT OF ORISSA, CUTTACK													
Month-wise Institution, Disposal and Case Clearance Rate, 1st January - 31st December, 2023													
Month	Opening balance			Institution			Disposal			Closing Balance			Case Clearance Rate (%) (Disposal vis-à-vis institution)
	Civil	Crimi- nal	Total	Civil	Crimi- nal	Total	Civil	Crimi- nal	Total	Civil	Crimi- nal	Total	
January	1,22,071	42,700	1,64,771	4,295	3,267	7,562	7,864	4,232	12,096	1,18,502	41,735	1,60,237	183.1
February	1,18,502	41,735	1,60,237	5,008	3,304	8,312	8,657	3,697	12,354	1,14,853	41,342	1,56,195	172.86
March	1,14,853	41,342	1,56,195	5,474	3,179	8,653	7,272	4,112	11,384	1,13,055	40,409	1,53,464	132.85
April	1,13,055	40,409	1,53,464	5,139	3,296	8,435	6,307	4,382	10,689	1,11,887	39,323	1,51,210	122.73
May	1,10,580	40,631	1,51,211	6,148	3,917	10,065	6,444	4,611	11,055	1,10,284	39,937	1,46,415 #	104.81
June	1,07,407	37,858	1,45,265	3,671	2,937	6,608	3,076	2,215	5,291	1,08,002	38,580	1,46,582 ##	83.79
July	1,08,134	38,588	1,46,722	5,798	3,455	9,253	6,185	3,839	10,024	1,07,747	38,204	1,45,951 ###	106.67
August	1,07,571	38,215	1,45,786	6,933	4,023	10,956	6,801	3,329	10,130	1,07,703	38,909	1,46,612 ####	98.1
													82.75
													92.46
													20
													21
													17
													15
													7 ###
													21
													20
													22



Case Statistics of High Court for the year 2023													
THE HIGH COURT OF ORISSA, CUTTACK													
Month-wise Institution, Disposal and Case Clearance Rate, 1st January - 31st December, 2023													
Month	Opening balance			Institution			Disposal			Closing Balance			Case Clearance Rate (%) (Disposal vis-à-vis institution)
	Civil	Crimi- nal	Total	Civil	Crimi- nal	Total	Civil	Crimi- nal	Total	Civil	Crimi- nal	Total	
Sep- tember	1,07,797	38,294	1,46,721	5,316	3,898	9,214	4,176	4,420	8,596	1,08,937	38,402	1,47,339	78.56
												#####	113.39
													93.29
Octo- ber	1,08,781	38,418	1,47,199	4,925	3,479	8,404	5,478	4,171	9,649	1,08,228	37,726	1,45,954	111.23
												#####	119.89
													114.81
Novem- ber	1,08,270	37,736	1,46,006	5,747	3,612	9,359	6,888	3,892	10,780	1,07,129	37,456	1,44,585	119.85
												#####	107.75
													115.18
Decem- ber	1,07,213	37,460	1,44,673	6,422	3,386	9,808	4,630	2,866	7,496	1,09,005	37,980	1,46,985	72.1
												#####	84.64
													76.43
Cumulative figures from 1st January, 2023 to 31st December, 2023													
Total	1,22,071 (As on 1.1.2023)	42,700 (As on 1.1.2023)	1,64,771 (As on 1.1.2023)	64,876	41,753	1,06,629	73,778	45,766	1,19,544 (As on 31.12.2023)	1,09,005 (As on 31.12.2023)	37,980 (As on 31.12.2023)	1,46,985 (As on 31.12.2023)	113.72
													109.61
													112.11
Total no. of Judgments delivered: 2813 (This is excluding the cases disposed of by orders)													
N.B.: Total working hours during the period : 22371.6 (Total working hours = 5.15 hours x No. of working days in the given period x Working strength of the Hon'ble Judges during the period)													
Total working hours lost : 2009.325													



Case Statistics of High Court for the year 2023												
THE HIGH COURT OF ORISSA, CUTTACK												
Month-wise Institution, Disposal and Case Clearance Rate, 1st January - 31st December, 2023												
Month	Opening balance			Institution			Disposal			Closing Balance		
	Civil	Crimi- nal	Total	Civil	Crimi- nal	Total	Civil	Crimi- nal	Total	Civil	Crimi- nal	Total
Case Clearance Rate (%) (Disposal vis-à-vis institution)												
Judges' work- ing strength												
Work- ing days												
Hours lost on account of reference* held at 3.05 pm by Court due to sad demise of Advocates/Judges and farewell to Judges: 469.5												
Hours lost due to Judges being on leave/official tour : 1539.825												
* No. of reference held from 1st January - 31st December, 2023 - 14 (Fourteen)												
# Closing balance as on 31.05.2023 is reflected as 1,46,415 instead of 1,50,221 due to updation of status regarding disposal/transfer of 3,806 cases in the Case Information System (CIS) after physical verification.												
## Closing balance as on 30.06.2023 is reflected as 1,46,582 instead of 1,51,537 due to updation of status regarding disposal/transfer of 4,955 cases in the Case Information System (CIS) after physical verification.												
### Closing balance as on 31.07.2023 is reflected as 1,45,951 instead of 1,50,766 due to updation of status regarding disposal/transfer of 4,815 cases in the Case Information System (CIS) after physical verification.												
#### Closing balance as on 31.08.2023 is reflected as 1,46,612 instead of 1,51,592 due to updation of status regarding disposal/transfer of 4,980 cases in the Case Information System (CIS) after physical verification.												
##### Closing balance as on 30.09.2023 is reflected as 1,47,339 instead of 1,52,210 due to updation of status regarding disposal/transfer of 4,871 cases in the Case Information System (CIS) after physical verification.												
##### Closing balance as on 31.10.2023 is reflected as 1,45,954 instead of 1,50,965 due to updation of status regarding disposal/transfer of 5,011 cases in the Case Information System (CIS) after physical verification.												
##### Closing balance as on 30.11.2023 is reflected as 1,44,585 instead of 1,49,544 due to updation of status regarding disposal/transfer of 4,959 cases in the Case Information System (CIS) after physical verification.												

Case Statistics of High Court for the year 2023																	
THE HIGH COURT OF ORISSA, CUTTACK																	
Month-wise Institution, Disposal and Case Clearance Rate, 1st January - 31st December, 2023																	
Month	Opening balance			Institution			Disposal			Closing Balance			Case Clearance Rate (%) (Disposal vis-à-vis institution)			Judges' working strength	Working days
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	CCR		
##### Closing balance as on 31.12.2023 is reflected as 1,46,985 instead of 1,51,856 due to updation of status regarding disposal/transfer of 4,871 cases in the Case Information System (CIS) after physical verification.																	
### The Court had summer vacation from 22th May to 20th June, 2023																	
The difference between the closing balance of a month and opening balance of the succeeding month is due to subsequent updation of disposal and restoration of some cases in CIS.																	

**CASE STATISTICS**

(1st January, 2023 to 31st December, 2023)

INSTITUTION AND DISPOSAL

Opening Balance (As on 01.01.2023)	Institution	Disposal	Closing Balance (As on 31.12.2023)
1,64,771	1,06,629	1,19,544	1,46,985*

MONTH WISE STATISTICS

Month	Institution	Disposal	Case Clearance Rate (%) Disposal vis-à-vis Institution
January	7,562	12,096	159.96
February	8,312	12,354	148.62
March	8,653	11,384	131.56
April	8,435	10,689	126.72
May	10,065	11,055	109.82
June	6,608	5,291	80.06
July	9,253	10,024	108.33
August	10,956	10,130	92.46
September	9,214	8,596	93.29
October	8,404	9,649	114.81
November	9,359	10,780	115.18
December	9,808	7,496	76.42
Total	1,06,629	1,19,544	112.11

DISPOSAL OF OLD CASES

Age of the cases	Disposal
More than 40 years	7
25 - 40 years	567
10 - 25 years	4,057
Less than 10 years	1,14,913
Total	1,19,544

* Closing balance as on 31.12.2023 is reflected as 1,46,985 instead of 1,51,856 due to updation of status regarding disposal/transfer of 4,871 cases in the Case Information System (CIS) after physical verification.



Santhal painting displayed in Judges' Lounge



Appendix- B

New Court buildings constructed at the District Headquarters and outlying stations

Sl. No.	Name of the Judge-ship	Name of Court Building	Date of In-auguration	Number of Court halls	Estimated Cost (in Rs.)	Name of the Execut-ing Agency	Projects included under which scheme (CSS/ SSS)
1	Sonepur	Amenity Centre with Bar Hall and Canteen in the premises of new District Court Building at Sonepur	14.04.2023	N.A	3,11,88,200	R&B	SSS
2	Kalahandi	Construction of Court Building for JMFC at Kesinga	30.04.2023	2	6,29,88,766	OSPH & WC Ltd.	SSS
3		Construction of Court Building for JMFC at M.Rampur	30.04.2023	2	6,30,80,615	OSPH & WC Ltd.	SSS
4	Cuttack	Construction of JMFC Court Complex at Tigiria	02.06.2023	2	7,60,28,059	OSPH & WC Ltd.	SSS
5	Ganjam	Construction of Court Building for JMFC at Shergada	01.06.2023	2	7,51,06,061	OSPH & WC Ltd.	SSS
6		Construction of Court Building for JMFC at Kabisuryanagar	01.06.2023	2	7,71,90,662	OSPH & WC Ltd.	SSS
7	Khurda	Construction of new Court Building for Gram Nyayalaya at Tangi	03.09.2023	2	7,28,01,270	OSPH & WC Ltd.	SSS



Sl. No.	Name of the Judge-ship	Name of Court Building	Date of In-auguration	Number of Court halls	Estimated Cost (in Rs.)	Name of the Executing Agency	Projects included under which scheme (CSS/ SSS)
8	Kendrapa-ra	Construction of new Court Building for J.M.F.C at Aul	10.09.2023	2	8,57,01,267	OSPH & WC Ltd.	SSS
9	Nayagarh	Construction of new Civi Court Building at Ranpur	03.11.2023	4	6,11,62,000	R&B	CSS (Previously included in SSS. But later on the project had been taken up under CSS w.e.f 20.07.2023 after being approved by the Court and communicated to Executing Agency on 25.07.2023)



Appendix- C

New residential quarters constructed at the District Headquarters and outlying stations

Sl. No.	Name of the Judgeship	Name of the Project	Estimated Cost (in Rs.)	Name of the Executing Agency	Date of Completion
1	Boudh	Construction of 1 No. of B-type Res. Quarters for Addl. District Judge, Boudh	84,90,000	OSPH & WC Ltd.	27.06.2023
2	Keonjhar	Construction of 1 No. D-type residential quarters for 2nd JMFC at Barbil	40,16,000	R&B	30.09.2023
3	Mayurbhanj	Construction of 1 No. of C-Type Duplex Quarters for the Chief Judicial Magistrate, Mayurbhanj, Baripada	47,57,400	R&B	12.06.2023
4		Construction of 1 No. of C-Type Duplex Quarters for the Registrar, Civil Courts, Baripada	47,57,400	R&B	30.09.2023
5	Sonepur	Construction of 'D' Type Quarters for SDJM at Sonepur	43,99,000	R&B	01.06.2023

Appendix-D

Ongoing residential and non-residential projects of the District Judiciary, wherein foundation stone laid by the court

Sl. No.	Name of the Judgeship	Name of the Project	Date on which Foundation Stone has been laid	Estimated cost of the project (in Rs.)	Name of the Executing Agency	Projects included under which scheme
1	Puri	Construction of Grama Nyayalaya Court Building at Brahmagiri	04.02.2023	7,98,41,100	R&B	CSS
2		Construction of Gram Nyayalaya Court Building at Puri	04.02.2023	6,75,52,900	R&B	SSS
3		Construction of Court Building of Civil Judge-cum-JMFC at Konark (including Lawyers' Hall Building, Digital Computer room and Toilet complex)	04.02.2023	7,99,81,229	R&B	CSS



Sl. No.	Name of the Judgeship	Name of the Project	Date on which Foundation Stone has been laid	Estimated cost of the project (in Rs.)	Name of the Executing Agency	Projects included under which scheme
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT KHANDAPADA				
4		Construction of Court Building at Khandapada	03.03.2023	11,84,71,000	R&B	CSS
5		Construction of Bar Association Hall at Khandapada	03.03.2023	2,21,81,651	R&B	CSS
6		Construction of C-Type Quarters for the Senior Civil Judge at Khandapada	03.03.2023	67,60,200	R&B	CSS
7		Construction of D-Type Quarters for the JMFC at Khandapada	03.03.2023	61,97,800	R&B	CSS
	Nayagarh	CONSTRUCTION OF RESIDENTIAL COMPLEX FOR JUDICIAL OFFICERS & STAFF AT ODOGAON				
8		Construction of B1-Type Officer's Quarters for Additional District & Sessions Judge at Odagaon	03.03.2023	1,21,19,000	R&B	SSS
9		Construction of C-Type Quarters for Senior Civil Judge at Odagaon	03.03.2023	99,51,341	R&B	SSS
10		Construction of 08 Nos. of F-Type Quarters for Staff at Odagaon	03.03.2023	2,65,72,000	R&B	SSS
11	Sonepur	Construction of Court Building for Senior Civil Judge at Birmaharajpur	14.04.2023	9,28,97,000	R&B	SSS
12		Construction of Court Building for Civil Judge-cum-JMFC at Binika	14.04.2023	7,25,25,780	R&B	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT ATHAGARH				
13	Cuttack	Construction of Court Building at Athagarh	02.06.2023	9,03,83,000	R&B	SSS
14		Construction of Bar Association Hall at Athagarh		1,53,54,000	R&B	CSS



Sl. No.	Name of the Judgeship	Name of the Project	Date on which Foundation Stone has been laid	Estimated cost of the project (in Rs.)	Name of the Executing Agency	Projects included under which scheme
	Bargarh	CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT BHEDEN				
15		Construction of Court Building for JMFC including Site Development at Bheden	16.06.2023	5,64,70,800 (5,42,01,000+22,69,800)	R&B	SSS
16		Construction of Canteen-cum-Bar Association Hall for Court Complex at Bheden		1,55,93,600	R&B	SSS
17		Construction of Transit House for Court Complex at Bheden		1,25,15,000	R&B	SSS
18		Construction of D-Type Quarters for the JMFC at Bheden		78,58,900	R&B	SSS
	Kandhamal	CONSTRUCTION OF NEW DISTRICT COURT COMPLEX AT PHULBANI				
19		Construction of District Court Building (G+3) at Phulbani	29.06.2023	39,13,63,000	R&B	CSS
20		Construction of Bar Association Hall with Facility Centre (G+1) at Phulbani		3,94,64,000	R&B	CSS
21		Construction of Transit House (G+2) at Phulbani		3,46,90,000	R&B	SSS
22		Construction of 1 No. of B-Type Quarters for District Judge at Phulbani		1,21,48,000	R&B	SSS
23		Construction of 4 Nos. of B-Type Quarters at Phulbani		4,55,06,000	R&B	CSS
24		Construction of 3 Nos. of C-Type (G+2) Quarters at Phulbani		2,83,00,000	R&B	CSS
25		Construction of 3 Nos. of D-Type Quarters at Phulbani		2,81,69,000	R&B	SSS
26		Construction of 24 Nos. of F-Type Staff Quarters (S+3) at Phulbani		4,97,15,000	R&B	SSS



Sl. No.	Name of the Judgeship	Name of the Project	Date on which Foundation Stone has been laid	Estimated cost of the project (in Rs.)	Name of the Executing Agency	Projects included under which scheme
		CONSTRUCTION OF NEW DISTRICT COURT COMPLEX AT BARIPADA				
27	Mayurbhanj	Construction of District Court Building (G+4) at Baripada	08.07.2023	59,13,24,000	R&B	SSS
28		Construction of Bar Association & Facility Centre (G+2) at Baripada		6,41,20,000	R&B	SSS
29		Construction of Transit House (G+2) at Baripada		3,60,84,000	R&B	SSS
30		Construction of 01 No. of District Judge Quarters (G+1) at Baripada		1,49,85,000	R&B	SSS
31		Construction of 04 Nos. of B-Type Quarters (G+2) at Baripada		4,26,53,000	R&B	SSS
32		Construction of 06 Nos. of C-Type Quarters (G+3) at Baripada		4,02,00,000	R&B	SSS
33		Construction of 08 Nos. of D-Type Quarters (G+4) at Baripada		4,44,31,000	R&B	SSS
34		Construction of 32 Nos. of F-Type Staff Quarters (2 Blocks-S+4) at Baripada		7,41,19,000	R&B	SSS
35	Jagatsinghpur	Construction of Transit House for Civil Courts at Kujang	21.07.2023	1,84,00,000	R.W	SSS
36		Construction of Bar Association Building (Lawyers' Hall)-cum-Canteen at Kujang		2,53,17,000	R.W	CSS
37		Construction of approach road with R.C.C gate for Civil Courts at Kujang		1,16,04,000	R.W	CSS



Sl. No.	Name of the Judgeship	Name of the Project	Date on which Foundation Stone has been laid	Estimated cost of the project (in Rs.)	Name of the Executing Agency	Projects included under which scheme
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT HEMGIRI				
38	Sundargarh	Construction Of New J.M.F.C Court Building at Hemgiri	26.10.2023	4,79,50,000	R.W.	SSS
39		Construction of Transit House at Hemgiri		1,03,06,827	R.W.	SSS
40		Construction of Bar Association Hall at Hemgiri		1,41,63,380	R.W.	SSS
41		construction of D-type residential quarters for the civil-judge cum JMFC at Hemgiri		49,81,000	R.W.	CSS
42	Sundargarh	Construction of New Bar Hall with Amenity Centre at Sundargarh	26.10.2023	4,46,37,000	R&B	SSS
		CONSTRUCTION OF BAR HALL WITH AMENITY CENTRE & RESIDENTIAL COMPLEX FOR JUDICIAL OFFICERS AND STAFF AT JHARSUGUDA				
43	Jharsuguda	Construction of Bar Hall with Amenity Centre of the District Court at Jharsuguda (G+2)	26.10.2023	4,76,47,000	R&B	CSS
44		Construction of B-1 type (3 nos.) quarters for accommodation of ADJ, ADJ-POCSO Judge and Judge, Family Court at Jharsuguda		2,95,49,000	R&B	CSS
45		Construction work of C- (2 nos.) quarters for accommodation of Sr. Civil Judge and Sr. Civil Judge (LR & LTV) quarters at Jharsuguda		1,70,71,000	R&B	CSS
46		Construction of D-type quarters for accommodation of the JMFC at Jharsuguda		77,75,000	R&B	CSS



Sl. No.	Name of the Judgeship	Name of the Project	Date on which Foundation Stone has been laid	Estimated cost of the project (in Rs.)	Name of the Executing Agency	Projects included under which scheme
		CONSTRUCTION OF BAR HALL-CUM-CANTEEN, TRANSIT HOUSE AND RESIDENTIAL COMPLEX FOR JUDICIAL OFFICERS AT RANPUR				
47	Nayagarh	Construction of Bar Association Hall-cum-Canteen at Ranpur	03.11.2023	1,20,41,000	R&B	SSS
48		Construction of Transit House at Ranpur		1,18,94,000	R&B	SSS
49		Constuction of C-Type Quarters for Senior Civil Judge at Ranpur		99,51,000	R&B	SSS
50		Constuction of D-Type Quarters for Civil Judge at Ranpur		58,76,000	R&B	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT BEGUNIA				
51	Khurda	Construction of Court Building for Civil Judge-cum-JMFC at Begunia	04.11.2023	6,14,81,706	R.W.	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT JATNI				
52		Construction of Court Building for Civil Judge-cum-JMFC at Jatni	04.11.2023	6,31,08,000	R&B	SSS
53		Construction of 2 Nos. of D-Type Quarters for Judicial Officers at Jatni		1,59,35,000	R&B	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT CHILLIKA				
54		Construction of Court Building for Civil Judge-cum-JMFC at Chilika	04.11.2023	6,21,31,849	R.W.	SSS
55		Construction of D-Type Quarters for JMFC at Chilika		65,40,000	R.W.	SSS



Sl. No.	Name of the Judgeship	Name of the Project	Date on which Foundation Stone has been laid	Estimated cost of the project (in Rs.)	Name of the Executing Agency	Projects included under which scheme
	Ganjam	CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT SORODA				
56		Construction of Court Building (G+1) at Soroda	10.11.2023	6,30,04,000	R&B	SSS
57		Construction of Transit House at Soroda		93,52,000	R&B	SSS
58		Construction of 8 No. of F-Type Quarters at Soroda		2,68,30,000	R&B	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT PURUSOTTAMPUR				
59		Construction of Court Building at Purusottampur	11.11.2023	7,07,14,211	R&B	SSS
60		Construction of Canteen-cum-Bar Association Hall at Purushottampur		1,55,39,305	R&B	SSS
61		Construction of Transit House at Purushottampur		1,05,86,669	R&B	SSS
62		Construction of Residential “C-Type” Quarters at Purushottampur		91,49,378	R&B	SSS
63		Construction of Residential “D-Type” Quarters at Purushottampur		86,45,926	R&B	SSS
64		Construction of 8 nos. of “E-Type” Staff Quarters at Purushottampur		2,63,67,030	R&B	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT POLSARA				
65		Construction of Court Building at Polsara	11.11.2023	4,25,01,000	R&B	CSS
66		Construction of Transit House at Polsara		76,03,284	R&B	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT SANAKHEMUNDI				
67		Construction of Court Building of Gramnyalaya at Sanakhemundi	11.11.2023	5,38,91,000	R.W.	CSS
68	Construction of Canteen-cum-Bar Association Hall at Sanakhemundi	1,13,46,963		R.W.	CSS	



Sl. No.	Name of the Judgeship	Name of the Project	Date on which Foundation Stone has been laid	Estimated cost of the project (in Rs.)	Name of the Executing Agency	Projects included under which scheme
69		Construction of Transit House for Judicial Department at Sanakhemundi		1,14,23,604	R.W.	SSS
70		Construction of 1 No. "D-Type" Quarters of Nyayadhikari, Gram Nyayalaya-cum-JMFC at Sanakhemundi		58,97,191	R.W.	CSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT DIGAPAHANDI				
71		Construction of Court Building at Digapahandi		5,09,48,411	R&B	SSS
72		Construction of Canteen-cum-Bar Association building for Court Building at Digapahandi	11.11.2023	2,19,32,250	R&B	SSS
73		Construction of Transit House for Court Building at Digapahandi		81,68,145	R&B	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT HINJILICUT				
74		Construction of Transit House for Court Building at Hinjilicut		1,21,60,000	R&B	SSS
75		Construction of 1 no. of C-Type Quarters for Senior Civil Judge at Hinjilicut		92,94,022	R&B	SSS
76		Construction of 1 no. of D-Type Quarters for JMFC at Hinjilicut	11.11.2023	48,99,950	R&B	SSS
77		Construction of 6 nos. E-Type staff quarters (G+2) at Hinjilicut		1,36,22,000	R&B	SSS
78		Construction of 6 nos. F-Type staff quarters (G+2) at Hinjilicut		87,19,000	R&B	SSS



Sl. No.	Name of the Judgeship	Name of the Project	Date on which Foundation Stone has been laid	Estimated cost of the project (in Rs.)	Name of the Executing Agency	Projects included under which scheme
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT TITLIGARH & KANTABANJI				
79	Balangir	Construction of Court Building, Transit House & Compound wall at Titilagarh	17.11.2023	9,04,23,000	R&B	SSS
80		Construction of Court Building for ADJ., Sr. Civil Judge JMFC & Railway Court at Kantabanji		6,19,51,319	R&B	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT KASHINAGAR				
81	Gajapati	Construction of Court Building for Gram Nyayadhikari-cum-JMFC at Kashinagar	23.12.2023	5,67,20,085	R&B	SSS
82		Construction of Transit House Kashinagar		1,34,89,147	R&B	SSS
83		Construction of D-Type Quarters for Gram Nyayadhikari-cum-JMFC at Kashinagar		58,25,054	R&B	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT BISSAMCUTTACK & KOLNARA				
84	Rayagada	Construction of new Civil Court Building at Bissamcuttack	23.12.2023	6,33,27,000	R.W.	SSS
85		Construction of 1 No. of C-Type Residential Quarters for Civil Judge (Sr. Division)-cum-ASJ at Bissamcuttack		1,25,05,000 (Revised)	R.W.	SSS
86		Construction of Court Building of the Gram-nyayadhikari at Kolnara		4,44,56,347	R.W.	SSS
87		Construction of D-Type Quarters for Nyayadhikari, Gram Nyayalaya at Kolnara		44,57,000 (Revised)	R.W.	CSS



Sl. No.	Name of the Judgeship	Name of the Project	Date on which Foundation Stone has been laid	Estimated cost of the project (in Rs.)	Name of the Executing Agency	Projects included under which scheme
	Koraput	CONSTRUCTION OF BAR HALL WITH AMENITY CENTRE AND TRANSIT IN THE NEW DISTRICT COURT BUILDING AT JEYPORE				
88		Construction of Amenity Centre and Bar Hall in the premised of New District Court Building at Jeypore	24.12.2023	5,77,52,700	R&B	SSS
89		Construction of Transit House (G+2) in the new District Court Complex at Jeypore		3,74,43,000	R&B	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT SIMILIGUDA				
90		Construction of Court Building at Similiguda with provision of Solar system, CCTV with audio and video and air conditioners in the Court Building for Gram Nyayalaya and JMFC at Similiguda	24.12.2023	7,73,21,000 + 94,74,000= 8,67,95,000	OSPH & WC Ltd.	SSS
		CONSTRUCTION OF NEW CIVIL COURT COMPLEX AT BORIGUMA & LAXMIPUR				
91		Construction of Court Building at Boriguma	24.12.2023	4,67,93,000	R.W.	CSS
92		Construction of Transit House for JMFC Court Building at Boriguma		1,04,12,558	R.W.	SSS
93		Construction of Court Building at Laxmipur		5,29,28,000	R.W.	SSS



Appendix -E

Recommendations of Rules Committee

Sl. No.	Rules/ Amendments	Notification No.	Odisha Gazette Notification No.	Related Rules
1	The Civil procedure Mediation (Amendment) Rules, 2023	No. 28/R dated 13.01.2023	No. 350 dated 07.02.2023	<ul style="list-style-type: none"> Amendment of Sub-rule (5) of Rule-26.
2	The High Court of Orissa Guest House Rules, 2023	No. 399/R dated 01.05.2023	No. 1012 dated 04.05.2023	<ul style="list-style-type: none"> New rules formulated
3	Rules of the High Court of Orissa (Amendment) Rules, 2023	No. 336-R dated 01.05.2023	No. 1004 dated 04.05.2023	<ul style="list-style-type: none"> Insertion of rule 6-B in the Rules of the High Court of Orissa, 1948, in Part-II, Chapter-VI Amendment of Rule-5 in Part-V, Chapter- XXI Omission of Rule-6, Part-V, Chapter-XXI Amendment of Rule- 6-C, in Part-V, Chapter-XXI Insertion of Chapter- XXI-A
4	The High Court of Orissa (Appointment of Staff and Condition of Service) (Amendment) Rules, 2023	No. 262-R dated 31.03.2023	No. 723 dated 03.04.2023	<ul style="list-style-type: none"> Omission of provisions of Clause – (ii) of Sub-Rule (1) of Rule 11 and Clause – (ii) of Sub-Rule (3) of Rule 14. Amendment of Clause (iii) of Sub-Rule (1) of Rule 11, sub rule (2) of Rule 25 and Rule 32 . Amendment of Appendix-1, 3 and 4.
5	The High Court of Orissa (Appointment of Staff and Condition of Service) (2nd Amendment) Rules, 2023	No. 1078/R dated 31.07.2023	No. 1855 dated 02.08.2023	<ul style="list-style-type: none"> Amendment of Sub-rule (4) of Rule 9, Sub-rule (1) and (5) of Rule 10, Sub rule (2) and (5) of Rule 26, para 3 and 7 of Rule 10(1) and Clause(iv) of Para-4 of Appendix-3
6	Amendment of the G.R. & C.O. (Civil) Vol 1, 1985 Edition	C.S No. 83-87		<ul style="list-style-type: none"> Insertion of Rule-41(A) (ii), proviso after Rule-186-A, Rule 488-A. Omission of Rule 71 to 75 The words “Chief Administrative Officer” substituted with “Administrative Officer” in all other courts except in the court of the District Judge.
7	Amendment of the G.R. & C.O. (Civil) Vol II, 1988 Edition	C.S. No. 13-17		<ul style="list-style-type: none"> Omission of words in columns -2 to 5, Form No. (R) -30-B, in the list of registers, of Form No.(R) -14 and 30-B Amendment of Form No. (R)-14 and 14-A.



Sl. No.	Rules/ Amendments	Notification No.	Odisha Gazette Notification No.	Related Rules
8	Amendment of the G.R. & C.O. (CrI.) Vol I, 1977 Edition	C.S. No. 139-146		<ul style="list-style-type: none"> Insertion of Rule-84-A in Chapter-XIII, Clause (d) in Rule-31, Chapter-IV, proviso after the existing Rule-136 (a) and before the 'Note' appended to the said Rule, Rule-145-A, proviso after Rule-177(A) as inserted vide Court's C.S. No.130, proviso after the 1st Paragraph of rule 328 and proviso after the 2nd paragraph of rule-328. Substitution of the words "Ordinary bus fare per Kilometre as would be fixed by the State Govt. from time to time" for the existing words and figure "0.05 per K.M." occurring in 2nd Row of 3rd column of the table appended to the Proviso of Rule -316. Substitution of the words "Administrative Officer" in place of "Chief Administrative Officer" in all other courts except the Court of the District Judge.
9	Amendment of the G.R. & C.O. (CrI.) Vol II, 1977 Edition	C.S. No. 81-82		<ul style="list-style-type: none"> Amendment of Form No. (R)-5, (R) - 5-A and (R) - 5- B occurring in the list of registers at Page-4. Amalgamation of Registers (R)-5, (R)- 5-A and (R)-5-B at pages 58-60 to form new Register (R) -5 (Register of convictions) at page-58.
10	The Odisha Judicial Superior Service and Odisha Judicial Service (Amendment) Rules, 2023	No. 2887-VJ-96/2022/L dated 30.01.2023	No. 285 dated 30.01.2023	<ul style="list-style-type: none"> Amendment of Rule-24.
11	The Odisha Judicial Superior Service and Odisha Judicial Service (2nd Amendment) Rules, 2023	S.R.O. No. 555/2023 dated 22.08.2023	No. 2013 dated 22.08.2023	<ul style="list-style-type: none"> Amendment of rule -3, rule -4, rule -5, rule-6, rule-13, rule-14, rule-15, rule-16, rule-17, rule-18, rule-29, sub rule- (1) and (2) of rule -30, rule -31, Appendix D, Appendix E and Appendix F. Insertion of Rule -5A



Sl. No.	Rules/ Amendments	Notification No.	Odisha Gazette Notification No.	Related Rules
12	The Odisha District and Civil Courts' Judicial Staff Services (Method of Recruitment and Conditions of Service) (Amendment) Rules, 2023	S.R.O. No. 341/2023 dated 27.06.2023	No. 1434 dated 28.06.2023	<ul style="list-style-type: none"> Amendment of sub rule (1) of rule -1, rule-3, sub rule (4) of rule 6, sub rule (1) of rule 7, rule-12, sub rule (2) of rule-13, Appendix A and Form-A.
13	The Odisha District and Civil Courts' Judicial Staff Services (Method of Recruitment and Conditions of Service) (2nd Amendment) Rules, 2023	S.R.O. No. 442/2023 dated 06.07.2023	No. 1655 dated 10.07.2023	<ul style="list-style-type: none"> Amendment of Form A
14	The Family Courts (Odisha) (Amendment) Rules, 2023	No. 5353-IJ-65/2019/L dated 24.02.2023	No. 495 dated 27.02.2023	<ul style="list-style-type: none"> Amendment of rule-2, rule-5 and rule-6.
15	The High Court of Orissa Guest House (Amendment) Rules, 2023	No. 1287-R dated 16.10.2023	No. 2519 dated 04.11.2023	<ul style="list-style-type: none"> Amendment of Sub rule(c) of rule-2, sub rules (iv), (v), (vii), (viii) of rule-3, 3rd proviso of sub rule (a), clause (iii) of Sub-rule(a), Sub rule (e) of Rule 4, Sub rules (a) and (b) of rule 7 and Appendix A.
16	The High Court of Orissa (Appointment of Staff and Conditions of Service) (3rd Amendment) Rules, 2023	No. 1378/R dated 10.11.2023	No. 2641 dated 15.11.2023	<ul style="list-style-type: none"> Amendment of Clause (f) of sub rule (1) of rule 2, clause (6) of rule 5, sub rule (1) of rule 34, sub rule (1) of rule 36, sub rule (1) of rule 37, Appendix 1 and Appendix 2J Insertion of Appendix 6A
17	The Orissa High Court Right to Information (Amendment) Rules, 2023	No. 1516/R dated 08.12.2023	No. 2851 dated 15.12.2023	<ul style="list-style-type: none"> Insertion of Clause (iii) of Rule-1 Amendment of Rule 2, rule-3, rule -4, rule -5 and Appendix III
18	The Orissa High Court (Designation of Senior Advocate) (Amendment) Rules, 2023	No. 1525/R dated 08.12.2023	No. 2852 dated 15.12.2023	Amendment of rule -2, rule 3, rule 4, rule 6, rule 7 and Appendix A
19	Modification of Court's Notification No. 954 dated 08.10.2014 regarding Arbitration Handbook	No. 1526/R dated 08.12.2023	No. 2853 dated 15.12.2023	<ul style="list-style-type: none"> Modification of Court's notification No. 954 dated 08.10.2014 in view of omission of Section 11(10) of the Arbitration and Conciliation Act, 1996.



Appendix-F

**Promotion of Employees of various cadres in the High Court
from 01.01.2023 to 31.12.2023**

Sl. No.	Name of the Post for Which D.P.C. was held	Vacancy	No. of candidates in zone of consideration	Nos. of candidates promoted
1.	Joint Registrar	03	09	03
2.	Addl. Dy. Registrar(J&E)	11	25	09
3.	Common cadre of Asst. Registrar	44	83	39
4.	Court Officer-cum-Asst. Registrar	01	05	01
5.	Addl. Registrar-cum-Principal Secretary	01	03	01
6.	Joint Registrar-cum-Principal Secretary	01	08	01
7.	ADR-cum-APS	04	14	03
8.	AR-cum- Sr. Secretary	08	20	07
9.	Superintendent	44	109	43
10.	Section Officer	68	159	68
11.	Assistant Section Officer	04	08	04
12.	Superintendent (Typist) Level-II	05	04	04
13.	Superintendent (Typist) Level-I	01	07	01
14.	Diary Superintendent	03	03	03
15.	Head Driver	02	05	02
16.	Secretary	11	14	03
17.	Personal Assistant	71	24	08
18.	Senior Stenographer	52	13	12
19.	Sr. Grade Diarist	17	42	16
20.	Senior Grade Typist	55	21	17
21.	Senior Driver	03	09	03
22.	Diarist	25	85	25
	Total	434	670	273

Appendix- G

**No. of Employees Recruited in the year 2023
(From 01.01.2023 to 31.12.23)**

Sl. No.	Name of the Post	Total No. of Posts Advertised	No. of candidates Joined	Vacancy
1.	Assistant Section Officer	199	146	53
2.	Junior Stenographer	35	6	29
		36	6	30
3.	Law Researcher (History)	02	02	0
4.	Consultant, History	01	01	0
5.	Class-IV	88	45	43
6.	Research Assistant	-	07	-
Total		361	213	155

- 4 nos. of guide (outsourcing) have joined in the Museum of Justice w.e.f. 02.08.2023/08.09.2023.
- 01 Assistant Curator on outsourcing basis has been deputed in the Centre for Judicial Archives of Odisha, Cuttack.



Silver filigree craft "boita" displayed in Chief Justice's chamber



Appendix - H

Posts created in 2023 by the State Government

Regular Posts

Sl. No.	Name of the post	No. of posts created	Created vide Home Department, Govt. of Odisha's Letter No. with date
	Assistant Curator	01	7327 dated 17 th February, 2023 (For the Centre for Judicial Archives of Odisha, Cuttack)
	Translator	21	43068 dated 2 nd November, 2023 (For the High Court Establishment)
	Joint Registrar (Judicial)	01	44428 dated 14.11.2023 (For the High Court Establishment)
	Additional Deputy Registrar	01	
	Assistant Registrar (Establishment)	01	
	Assistant Registrar (Judicial)	01	
	Additional Stamp Reporter and Oath Commissioner re-designated as Assistant Registrar- cum - Additional Stamp Reporter and Oath Commissioner	01	
	Superintendent	15	
	Section Officer	22	
	Assistant Section Officer	15	
	Superintendent of Typist, Level-I	01	
	Superintendent of Typist, Level-II	01	
	Senior Grade Typist	02	
	Additional Deputy Registrar-cum-Additional Principal Secretary	01	
	Assistant Registrar-cum-Senior Secretary	02	
	Secretary	02	
	Personal Assistant	01	
	Senior Stenographer	03	
	Duftary	10	
	Attender	01	
	Cook-cum-Caretaker	10	
	Total Posts	113	

- Besides, the State Government vide Home Department letter No. 12021 dated 18th March, 2023 has accorded concurrence for engagement of 4 Guides on outsourcing basis for the Museum of Justice with the stipulation that outsourcing will be strictly outsourcing of services but not of manpower.



Appendix-I

Sanctioned strength, working strength and vacancy
position of the Ministerial Officers and Staff

Group-A

Sl. N.	Name of post	Sanctioned strength (After creation of posts)	Working strength	Vacancy
1.	Additional Registrar (Estt.)	1	0	1
2.	Joint Registrar (Estt.)	1	1	0
3.	Joint Registrar(Judicial)	2*	1	1
4.	Additional Deputy Registrar (J&E)	5**	5	0
5.	Assistant Registrar (Estt.)	2***	2	0
6.	Assistant Registrar (Judicial)	6****	6	0
7.	Assistant Registrar (J&E)	1	1	0
8.	Assistant Registrar-cum-E.O.	2	2	0
9.	Assistant Registrar-cum-Stamp Reporter & Oath Commissioner	1	1	0
10.	Assistant Registrar-cum-Additional Stamp Reporter & Oath Commissioner	15*****	15	0
11.	Court Officer-Cum-Asst. Registrar	1	1	0
12.	Assistant Registrar(Protocol)	3	0	3
	Total	40	35	05

* 1 Post of Joint Registrar (Judicial) was created.

**1 Post of Additional Deputy Registrar was created.

***1 Post of Assistant Registrar (Estt.) was created.

****1 Post of Assistant Registrar (Judicial) was created.

*****1 Post of Additional Stamp Reporter & Oath Commissioner was created.



Group-B

Sl. No.	Name of post	Sanctioned strength (After creation of posts)	Working strength	Vacancy
1	Superintendent	57*	55	2
2	Section Officer	137**	137	0
3	Section Officer (Translation Branch)	1	0	1
4	Statistical Officer	1	0	1
5	Superintendent of Typist Level-I	6***	5	1
6	System Analyst	1	0	1
7	Assistant Section Officer	483****	338	145
8	Librarian	1	1	0
9	Superintendent of Typist Level-II	12*****	10	2
10	Programmer	1	1	0
11	Peripatetic Stamp Reporter	2	2	0
12	Translator	26*****	4	22
13	Judicial Indexer	1	1	0
14	Head Driver	10	10	0
15	Diary Superintendent	3	3	0
16	Court Manager	2	0	2
17	Assistant Curator	1*****	1	0
	Total	745	568	177

* 15 posts of Superintendent were created

**22 posts of Section Officer were created

***01 post of Superintendent of Typist Level-I was created

****15 posts of Assistant Section Officer were created

*****1 posts of Superintendent of Typist Level-II was created

*****21 posts of Translator were created

*****1 post of Assistant Curator was created



Group-C

Sl. No.	Name of post	Sanctioned strength (After restructure & creation of posts)	Working strength	Vacancy
1	Junior Librarian	1	0	1
2	Senior Grade Typist	38*	17	21
3	Senior Grade Diarist	15	15	0
4	Senior Driver	10	10	0
5	Technical Assistant (Judges' Library)	4	4	0
6	Generator Operator	1	0	1
7	Junior Grade Typist/ D.E.O.	38	2	36
8	Diarist	37	37	0
9	Copyist	6	1	5
10	Driver	37	20	17
11	Treasury Sarkar	1	1	0
12	Zamadar	91	91	0
13	Duftary	43**	42	1
14	Attender	9***	9	0
15	Cook-cum-Caretaker	16****	16	0
16	Mali-cum-Chowkidar	3	3	0
	Total	350	268	82

* 2 posts of Senior Grade Typist were created

**10 posts of Duftary were created

*** 1 post of Attender was created

****10 posts Cook-cum-Caretaker were created



Group-D

Sl. No.	Name of post	Sanctioned Strength (After Re-structure & creation of posts)	Working strength		Vacancy
			Regular	Contractual	
1	Orderly Peon	143	31	15	97
2	Class-IV	87	7	20	60
3	Gate Keeper	1	0	0	1
4	Mali	25	1	2	22
5	Night Watchman	3	0	0	3
6	Farash	7	1	0	6
7	Sweeper	1*	1	0	0
8	Sweeper-cum-Farash	1	1	0	0
9	Permanent Mulia	1	0	0	1
10	Medical Attendant	1	1	0	0
	Total	270	43	37	190
			80		

* 4 nos. of Sweeper posts were abolished.



Lacquered box displayed in Chief Justice's chamber



**Sanctioned strength, working strength and vacancy
position of the Secretarial Officers and staff**

GROUP-A

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1	Additional Registrar-cum Principal Secretary	1	1	0
2	Joint Registrar-cum-Principal Secretary	1	1	0
3	Additional Deputy Registrar-cum- Additional Principal Secretary	4*	4	0
4	Assistant Registrar-cum-Senior Secretary	10**	10	0
	Total	16	16	0

* 1 post of Additional Deputy Registrar-cum- Additional Principal Secretary was created

** 2 posts of Assistant Registrar-cum- Senior Secretary were created

Group-B

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1	Secretary	25*	11	14
2	Personal Assistant	43**	23	20
3	Senior Stenographer	35***	16	19
	Total	103	50	53

* 2 posts of Secretary were created

** 1 post of Personal Assistant was created

*** 3 posts of Senior Stenographer were created

GROUP-C

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1.	Junior Stenographer	55	14	41
	Grand Total:	174	80	94



Sanctioned strength, working strength and vacancy position of the Officers and staff on deputation from the Government

Sl. No.	Name of the Post	Group	Sanctioned strength	Working strength	Vacancy
1	Chief Accounts Officer	A	1	1	0
2	Orissa High Court Dispensary				
	a)Medical Officer	A	1	1	0
	b)Physiotherapist	B	1	1	0
	c)Pharmacist	C	1	1	0
	d)Junior Laboratory Technician (Path)	C	1	1	0
	e)Health Worker (Female)	C	1	1	0
3	Orissa High Court Homeopathy Dispensary				
	a)Homeopathy Medical Officer	B	1	1	0
	b)Homeopathy Assistant	C	1	1	0
	Total:		8	8	0

Sanctioned strength, working strength and vacancy position of the e-Courts Project staff

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1.	Senior System Officer	2	1	1
2.	System Officer	24	18	6
3.	System Assistant	48	30	18
	Total	74	49	25

Sanctioned strength, working strength and vacancy position of the Centre for Judicial Archives of Odisha

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1.	Director-cum-OSD	1	1	0
2.	Consultant, History	1	1	0
3.	Consultant, Law	1	1	0
4.	Law Researchers	4	4	0
	Total	7	7	0

**Sanctioned strength, working strength and vacancy position
of the posts carrying Consolidated Pay/Honorarium**

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1.	Law Reporter	1	1	0
2.	Research Assistant	49	11	38
4.	Assistant Editor	1	0	1
	TOTAL	51	12	39

**Sanctioned strength, working strength and vacancy position of the
posts carrying remuneration for copying out documents**

Sl. No.	Name of the Post	Sanctioned strength	Working strength	Vacancy
1.	Remunerated Copyist	6	0	6



*From Left To Right - Dhokra Casting From Dhenkanal, Painted Wooden Toys From Bargarh And Brass
& Bell Metal Craft From Nayagarh, Displayed In Second Floor Corridor Of New Building.*



Appendix-J

Budgetary allocation and expenditure of the High Court

Budget of the High Court (Comparative Status)			
	2021-22(Rs.)	2022-23(Rs.)	2023-24 (Rs.)
Plan	25,81,98,506	28,53,78,000	80,73,63,000
Non-plan	1,48,84,96,000	182,11,93,000	201,81,71,000
Total	176,66,94,506	210,65,71,000	282,55,34,000

Budgetary Allocation and expenditure for Infrastructure Development of the High Court for the period 1st April 2023 to 31st December, 2023

Sl.No.	Heads of account	Amount sanctioned (in Rs.)	Amount utilized (in Rs.)
1	Non-Residential	30,73,63,000	17,95,94,000
2	Residential	50,00,00,000	50,00,00,000
	Total	80,73,63,000	67,95,94,000

Budgetary allocation and expenditure for Establishment of the High Court for the period 1st April 2023 to 31st December, 2023

Sl.No.	Heads of account	Amount sanctioned (in Rs.)	Amount utilized (in Rs.)
1	Administrative expenses	201,81,71,000* (2023-24)	110,38,73,000

*Break-up of administrative expenses for the period 1st April, 2023 to 31st December, 2023

Pay & allowances	Rs. 77,50,41,000/-
Electricity	Rs. 3,39,58,000/-
Water	Rs.98,000/-
Telephone (incl. FTTH connection costing Rs.5cr)	Rs. 5,59,85,000/-
Purchase of Motor vehicle and maintenance	Rs. 1,54,91,000/-
Upgradation of computer and maintenance	Rs. 7,07,45,000/-
Other Contingencies	Rs. 15,25,55,000/-

Appendix K

Case statistics of the District Courts for 2023

Institution, Disposal, Pendency and Case Clearance Rate in the District Courts of Odisha from 01.01.2023 to 31.12.2023

Months	Opening Balance			Institution			Disposal			Pendency			Case Clearance Rate of disposal w.r.t. institution		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
January	354971	1471129	1826100	8,027	41,812	49,839	7,975	22,972	30,947	3,55,023	14,89,969	18,44,992	99.35	54.94	62.09
February	355023	1489969	1844992	7,429	32,006	39,435	11,392	39,864	51,256 *	3,51,060	14,82,111	18,33,171	153.34	124.55	129.98
March	351060	1482111	1833171	7,144	30,554	37,698	8,855	30,414	39,269	3,49,349	14,82,251	18,31,600	123.95	99.54	104.17
April	349349	1482251	1831600	6,421	27,805	34,226	7,320	21,286	28,606	3,48,450	14,88,770	18,37,220	114.00	76.55	83.58
May	348450	1488770	1837220	8,076	31,955	40,031	8,153	26,607	34,760	3,48,373	14,94,118	18,42,491	100.95	83.26	86.83
June	348373	1494118	1842491	4,538	26,596	31,134	2,553	14,819	17,372 #	3,50,358	15,05,895	18,56,253	56.26	55.72	55.80
July	350358	1505895	1856253	8,392	34,116	42,508	8,741	28,843	37,584	3,50,009	15,11,168	18,61,177	104.16	84.54	88.42
August	3,50,009	15,11,168	18,61,177	8,124	34,130	42,254	8,221	26,757	34,978	3,49,912	15,18,541	18,68,453	101.19	78.40	82.78
September	3,49,912	15,18,541	18,68,453	6,888	33,503	40,391	11,526	33,911	45,437	3,45,274	15,18,133	18,63,407	167.33	101.22	112.49
October	3,45,274	15,18,133	18,63,407	6,382	27,703	34,085	6,949	22,169	29,118**	3,44,707	15,23,667	18,68,374	108.88	80.02	85.43
November	3,44,707	15,23,667	18,68,374	6,527	36,041	42,568	8,005	25,749	33,754	3,43,229	15,33,959	18,77,188	122.64	71.44	79.29
December	3,43,229	15,33,959	18,77,188	6,965	32,500	39,465	9,952	33,389	43,341	3,40,242	15,33,070	18,73,312	142.89	102.74	109.82
Total	3,54,971	14,71,129	18,26,100	84913	388721	473634	99642	326780	426422	3,40,242	15,33,070	18,73,312	117.35	84.07	90.03
Institution of Criminal cases increased due to filing of 56,017 cases under M.V. Act as a result of automatic challan based on CCTV image capture.															
* Disposal in the month of February, 2023 increased due to disposal in Lok Adalat held on 11.02.2023 and withdrawal of cases.															
# Disposal in the month of June, 2023 decreased due to less number of working days.															
** Disposal in the month of October, 2023 decreased on account of Durga Puja Holidays.															
One working day consists of 6 working hours.															
Average loss of working days in 2023 (till 31st December) is 0.004 days due to cease work.															
Average working strength of judicial officers against average sanctioned strength of 1004 in 2023 (till 31st December) is 807.															
So, cumulative loss of judicial hours of all Courts in 2023 (till 31st December) is 6 x 0.004 x 807 = 19.37 hours.															



DISTRICT COURT PENDENCY from 01.01.2023 to 31.12.2023

Name of the Judgeship	Opening balance as on 01.01.2023			Institution from 01.01.2023 to 31.12.2023			Disposed of from 01.01.2023 to 31.12.2023			Pending cases as on 31.12.2023		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
Angul	9439	81419	90858	1877	18320	20197	2534	14732	17266	8782	85007	93789
Balangir	6751	42067	48818	1767	18733	20500	1770	15516	17286	6748	45284	52032
Balasore	39454	85418	124872	11190	18810	30000	11950	15505	27455	38694	88723	127417
Bargarh	6218	45843	52061	1535	7815	9350	1800	5991	7791	5953	47667	53620
Bhadrak	29757	66527	96284	4502	13959	18461	5561	12300	17861	28698	68186	96884
Boudh	1183	15920	17103	411	5720	6131	483	3401	3884	1111	18239	19350
Cuttack	40213	158704	198917	10554	29031	39585	12311	31220	43531	38456	156515	194971
Deogarh	843	14555	15398	373	4138	4511	437	2654	3091	779	16039	16818
Dhenkanal	8818	35062	43880	2310	12705	15015	2385	8177	10562	8743	39590	48333
Gajapati	581	8881	9462	384	3578	3962	462	4287	4749	503	8172	8675
Ganjam	11805	73825	85630	4946	32640	37586	5564	29015	34579	11187	77450	88637
Jagatsinghpur	11317	33230	44547	3601	9459	13060	4113	6847	10960	10805	35842	46647
Jaipur	23274	66267	89541	4539	13700	18239	5074	8631	13705	22739	71336	94075
Jharsuguda	3676	37126	40802	948	9322	10270	1080	6601	7681	3544	39847	43391
Kalahandi	4072	40173	44245	1809	10741	12550	2019	11513	13532	3862	39401	43263
Kandhamal	916	15385	16301	435	6407	6842	527	5962	6489	824	15830	16654



Name of the Judgeship	Opening balance as on 01.01.2023			Institution from 01.01.2023 to 31.12.2023			Disposed of from 01.01.2023 to 31.12.2023			Pending cases as on 31.12.2023		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
Kendrapara	18576	42220	60796	3441	7603	11044	4158	6030	10188	17859	43793	61652
Keonjhar	9294	44556	53850	2050	10213	12263	1942	7342	9284	9402	47427	56829
Khurda	55810	141600	197410	9259	40610	49869	12265	36536	48801	52804	145674	198478
Koraput	3734	34041	37775	1119	8613	9732	951	7463	8414	3902	35191	39093
Malkangiri	422	9951	10373	235	3414	3649	259	3096	3355	398	10269	10667
Mayurbhanj	12490	55284	67774	3662	16793	20455	3650	11681	15331	12502	60396	72898
Nabarangpur	1090	24847	25937	422	4904	5326	517	4262	4779	995	25489	26484
Nayagarh	4694	24685	29379	2356	6768	9124	2280	5789	8069	4770	25664	30434
Nuapada	2762	16926	19688	715	4784	5499	977	4438	5415	2500	17272	19772
Puri	24109	62152	86261	4550	11341	15891	6804	11582	18386	21855	61911	83766
Rayagada	1738	19012	20750	855	5478	6333	821	7421	8242	1772	17069	18841
Sambalpur	7233	71981	79214	1828	26768	28596	2837	19722	22559	6224	79027	85251
Sonepur	3023	22185	25208	555	8502	9057	810	5966	6776	2768	24721	27489
Sundargarh	11679	81287	92966	2685	17852	20537	3301	13100	16401	11063	86039	97102
TOTAL	3,54,971	14,71,129	18,26,100	84913	388721	473634	99642	326780	426422	3,40,242	15,33,070	18,73,312



Comparative figures of Institution & Disposal of 2022 & 2023

Months	2022		2023		Comparative rate of increase in disposal with previous year in percentage
	Institution	Disposal	Institution	Disposal	
January	40631	18591	49839	30947	66.46
February	34039	15388	39435	51256	233.09
March	39043	33259	37698	39269	18.07
April	36425	26210	34226	28606	9.14
May	46421	38909	40031	34760	-10.66
June	39061	23355	31134	17372	-25.62
July	46071	31911	42508	37584	17.78
August	60624	107499	42254	34978	-67.46
September	47086	36544	40391	45437	24.34
October	38888	25112	34085	29118	15.95
November	72115	90955	42568	33754	-62.89
December	52544	67659	39465	43341	-35.94
TOTAL	5,52,948	5,15,392	4,73,634	4,26,422	-17.26

District Courts of Odisha

No. of Judgments pronounced /delivered for the year - 2023							
Sl. No.	Month	Civil			Criminal		
		Contested	Un-Con-tested	Total	Contested	Un-Con-tested	Total
1	January	1,634	936	2,570	7,772	2,300	10,072
2	February	1,615	1,453	3,068	7,609	2,674	10,283
3	March	1,643	1,210	2,853	8,054	1,106	9,160
4	April	1,608	1,017	2,625	7,703	2,517	10,220
5	May	1,279	1,108	2,387	7,418	3,803	11,221
6	June	591	439	1,030	5,165	714	5,879
7	July	1,705	1,408	3,113	8,656	1,024	9,680
8	August	1,843	1,217	3,060	8,842	1,217	10,059
9	September	1,705	1,383	3,088	8,301	1,377	9,678
10	October	1,322	906	2,228	6,673	817	7,490
11	November	1,741	889	2,630	8,598	1,325	9,923
12	December	1,551	1,190	2,741	7,579	1,466	9,045
TOTAL		18,237	13,156	31,393	92,370	20,340	1,12,710



25 to 40 Years Cases (from 01.01.2023 to 31.12.2023)

Sl. No.	Name of the Judgeships	CIVIL						CRIMINAL					
		OPENING BALANCE as on 01.01.2023	Became 25 years from 01.01.2023 to 31.12.2023	Re-ceived from other Courts	Trans-ferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023	OPENING BALANCE as on 01.01.2023	Became 25 years from 01.01.2023 to 31.12.2023	Re-ceived from other Courts	Trans-ferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023
1	Angul	19	0	0	0	8	11	58	94	2	2	104	48
2	Balangir	41	7	3	6	20	25	3	3	0	0	3	3
3	Balasore	257	50	200	202	114	191	27	120	2	2	121	26
4	Bargarh	54	3	0	3	22	32	22	28	2	2	26	24
5	Bhadrak	31	23	0	0	40	14	60	59	1	2	103	15
6	Boudh	3	0	1	1	1	2	0	0	0	0	0	0
7	Cuttack	202	77	4	4	121	158	387	333	41	41	398	322
8	Deogarh	4	0	0	0	3	1	0	0	0	0	0	0
9	Dhenkanal	11	1	1	1	6	6	4	9	1	1	6	7
10	Gajapati	0	0	0	0	0	0	1	3	0	0	4	0
11	Ganjam	6	9	0	0	14	1	0	34	0	0	34	0
12	Jagatsinghpur	3	0	0	0	2	1	10	14	0	0	23	1
13	Jajpur	25	1	1	2	17	8	163	228	0	0	293	98
14	Jharsuguda	126	6	1	1	37	95	120	122	59	59	182	60
15	Kalahandi	4	1	0	1	3	1	35	4	0	0	30	9
16	Kandhamal	0	0	0	0	0	0	0	2	0	0	2	0



Sl. No.	Name of the Judge-ships	CIVIL						CRIMINAL					
		OPENING BALANCE as on 01.01.2023	Became 25 years from 01.01.2023 to 31.12.2023	Re-ceived from other Courts	Trans-ferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023	OPENING BALANCE as on 01.01.2023	Became 25 years from 01.01.2023 to 31.12.2023	Re-ceived from other Courts	Trans-ferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023
17	Kendrapara	37	20	0	0	47	10	1	81	1	1	78	4
18	Keonjhar	97	8	3	2	19	87	3	2	0	0	4	1
19	Khurda	63	36	12	12	69	30	2275	407	30	30	2053	629
20	Koraput	1	1	0	0	1	1	2	33	5	5	25	10
21	Malkangiri	0	0	0	0	0	0	0	0	0	0	0	0
22	Mayurbhanj	35	5	30	3	46	21	50	137	14	13	147	41
23	Nabarangpur	1	0	0	0	0	1	0	4	0	0	4	0
24	Nayagarh	3	1	0	0	3	1	4	17	1	0	17	5
25	Nuapada	0	0	0	0	0	0	0	2	0	0	2	0
26	Puri	116	45	19	19	92	69	143	132	11	11	265	10
27	Rayagada	5	0	0	0	2	3	0	0	0	0	0	0
28	Sambalpur	42	5	0	1	16	30	17	15	1	1	12	20
29	Sonepur	17	7	0	0	19	5	2	2	0	0	3	1
30	Sundargarh	7	5	13	0	17	8	40	207	10	8	226	23
TOTAL		1210	311	288	258	739	812	3427	2092	181	178	4165	1357
25 to 40 Years Cases (Civil + Criminal)							812+1357=2169						



Over 40 Years Cases (from 01.01.2023 to 31.12.2023)

Sl. No.	Name of the Judgeships	CIVIL						CRIMINAL					
		OPENING BALANCE as on 01.01.2023	Became 25 to 40 years from 01.01.2023 to 31.12.2023	Received from other Courts	Transferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023	OPENING BALANCE as on 01.01.2023	Became 25 to 40 years from 01.01.2023 to 31.12.2023	Received from other Courts	Transferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023
1	Angul	0	0	0	0	0	0	0	0	0	0	0	0
2	Balangir	4	3	0	0	3	4	0	0	0	0	0	0
3	Balasore	1	2	1	1	3	0	0	0	0	0	0	0
4	Bargarh	5	3	2	2	4	4	1	0	0	0	0	1
5	Bhadrak	0	0	0	0	0	0	1	1	0	0	2	0
6	Boudh	0	0	0	0	0	0	0	0	0	0	0	0
7	Cuttack	4	7	0	0	5	6	0	1	0	0	0	1
8	Deogarh	0	0	0	0	0	0	0	0	0	0	0	0
9	Dhenkanal	0	0	0	0	0	0	0	0	0	0	0	0
10	Gajapati	0	0	0	0	0	0	0	0	0	0	0	0
11	Ganjam	3	3	0	0	6	0	0	0	0	0	0	0
12	Jagatsinghpur	0	0	0	0	0	0	0	0	0	0	0	0
13	Jaipur	0	1	0	0	0	1	0	0	0	0	0	0
62	Jharsuguda	0	0	0	0	0	0	0	0	0	0	0	0
15	Kalahandi	2	1	0	0	3	0	0	0	0	0	0	0
16	Kandhamal	0	0	0	0	0	0	0	0	0	0	0	0
17	Kendrapara	0	0	0	0	0	0	0	0	0	0	0	0



Sl. No.	Name of the Judgeships	CIVIL						CRIMINAL					
		OPENING BALANCE as on 01.01.2023	Became 25 years from 01.01.2023 to 31.12.2023	Received from other Courts	Transferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023	OPENING BALANCE as on 01.01.2023	Became 25 years from 01.01.2023 to 31.12.2023	Received from other Courts	Transferred to other Courts	DISPOSAL from 01.01.2023 to 31.12.2023	CLOSING BALANCE as on 31.12.2023
18	Keonjhar	4	3	0	0	1	6	0	0	0	0	0	0
19	Khurda	0	0	0	0	0	0	0	0	0	0	0	0
20	Koraput	0	0	0	0	0	0	0	0	0	0	0	0
21	Malkangiri	0	0	0	0	0	0	0	0	0	0	0	0
22	Mayurbhanj	1	0	5	0	6	0	0	0	0	0	0	0
23	Nabarangpur	0	0	0	0	0	0	0	0	0	0	0	0
24	Nayagarh	1	0	0	0	1	0	0	0	0	0	0	0
25	Nuapada	0	0	0	0	0	0	0	0	0	0	0	0
26	Puri	0	0	0	0	0	0	0	0	0	0	0	0
27	Rayagada	0	0	0	0	0	0	0	0	0	0	0	0
28	Sambalpur	1	1	0	0	0	2	1	0	0	0	0	1
29	Sonepur	1	0	0	0	1	0	0	0	0	0	0	0
30	Sundargarh	2	0	0	0	2	0	0	0	0	0	0	0
	TOTAL	29	24	8	3	35	23	3	2	0	0	2	3
Over 40 Years Cases (Civil + Criminal)							23+3=26						



Golden grass craft from kendrapara displayed in second floor corridor of New Building.









Waiting Hall at Heritage Building

