## IN THE HIGH COURT OF ORISSA, CUTTACK WP(C) No.13403 of 2015



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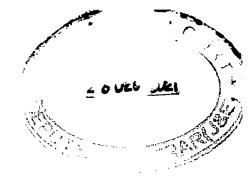
Cuttack

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Date : 27.12.2021

ADDL. GOVERNMENTADVOCATE



### IN THE HIGH COURT OF ORISSA, CUTTACK

#### WP(C) No.13403 Of 2015

Bipin Bihari Pradhan

Petitioner

-Versus-

State of Orissa & others ...

Opp. Parties

#### COMPLIANCE AFFIDAVIT OF THE ADDL. CHIEF SECRETARY TO GOVERNMENT, HEALTH FAMILY WELFARE DEPARTMENT IN COMPLIANCE OF ORDERS DTD.14.07.2021, 02.09.2021 AND 30.11.2021:



I, Sri Raj Kumar Sharma, aged about 58 Years, Son of Mr. Kishore Sharma at present working as Addl. Chief Secretary to Government, Health & Family Welfare Department, Odisha, Loka Seva Bhawan, Bhubaneswar, Dist.: Khurda, do hereby solemnly affirm and state as follows:

 That, I am working as Addl. Chief Secretary to Government, Health & Family Welfare Department, Odisha.

That, this Hon'ble Court Vide Order dtd.
 30.11.2021 in Paragraph – 15 directed as follows :

"15. A direction was issued to the Secretary to Heath and Family Welfare Department by order of this Court dated 14th July, 2021 and 2nd September, 2021, no affidavit has been filed by the Health Department, consequently a direction is issued to the Additional Chief Secretary to file an affidavit indicating the status of compliance pursuant to the direction of this Court and the action recommended by the Technical Committee as referred hereinabove. The Additional Chief Secretary will remain present on video conferencing by the next date. The Court expects that the committee will undertake to visit the colonies elsewhere in Odisha to complete the task. A report of such committee enclosing the photo of the present status of the colonies will be

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placed before the Court on the next date."

3. That, in Paragraph - 8 of the Order dtd.
02.09.2021, following directions was issued :

"8. The Director, Health Services, Government of Odisha will comply with the directions issued in para 14 of the order dated 14th July, 2021 by filing an affidavit in terms thereof before the next date."

4. That, Paragraph – 14 of the Order dtd.
14.07.2021 is quoted hereunder for immediate reference :

"14. It is accordingly directed that the Director, Health Services, Odisha should specifically address the above issues and place before this Court by the next date by way of an affidavit the complete up to date statistics regarding (a) prevalence of leprosy of both varieties (b) status of compliance with each of the directions issued in Pankaj Sinha as far as Odisha is concerned (c) Status of availability of treatment, beds, drugs (including MDT) at the various hospitals, PHCs, health care centres in urban and rural locations (d) status of filling up of vacant posts of



3

medical officers and staff. The Court emphasises that exact figures rather than platitudes or general vague statements of "due care and attention" being given be placed on record."

5. That, in compliance of several <u>directions issued</u> <u>in Paragraph – 14 of the Order dtd. 14.07.2021</u>, the Pointwise Compliance is given hereunder.

## <u>Direction (a)</u>: Prevalence of leprosy of both varieties

In compliance of this Hon'ble Court's order, the District Wise Prevalence of Leprosy till the end of November – 2021 has been obtained from different districts of the State.

A tabular statement showing District Wise Prevalence of Leprosy in different districts of the State till the end of November, 2021 is filed herewith and annexed as <u>Annexure – A</u>.

<u>Direction (b)</u>: Compliance of directions issued in Pankaj Sinha's Case so far as Odisha is concerned



Periodical survey are being done under NLEP every year. In the year 2020-21, regular surveillance was conducted by ASHA in all the villages throughout the year by the name of ABSULS (ASHA based Surveillance for Leprosy Suspects). An integrated campaign has been conducted from 24<sup>th</sup> May to 23<sup>rd</sup> Aug 2021 in Odisha and Active Case Detection & Regular Surveillance (ACD & RS) is being conducted in high endemic villages of our State by ASHA / Field Level Worker (FLW) to detect more number of hidden cases from the community and give them treatment which is enclosed herewith and marked as (Annexure - B). Both ABSULS and ACD&RS are conducted as per GoI guidelines, emphasis being on integration to mainstream health care delivery system rather than a vertical structure, which has a greater out –reach to avoid stigma.

## Awareness programme under NLEP throughout the year:

Sensitizing the Community and general public for stigma reduction through different Awareness News Programmes through publication in Odia scrolling in Television channel, Papers, panel discussion in Doordarshan and jingles in All India Radio, FM channels, Miking during Shamba Rath movement, Rally by School children, IPC (Inter Personal Communication) is done by the Govt. in different phases throughout the year. Anti Leprosy day is being observed on 30<sup>th</sup> January, an awareness campaign i.e. Sparsh Leprosy Awareness Campaign



(SLAC) is being observed every year from 30<sup>th</sup> January to 13<sup>th</sup> February throughout the state and during the fortnight rallies, debate, quiz competition, oath taking, awareness in Gaon Kalyan Samiti, display of posters, writing swasthya Kantha, speech by leprosy cured persons and treatment by Govt. Health care system is conducted and one to one communication with community members regarding leprosy disease free diagnosis and treatment at different health facilities from PHC to medical college level and counseling is also done by the Medical Officers (M.O.s) to generate awareness and demonstrate self care practices to the Persons affected by leprosy, which is meticulously followed to treat, reduce / prevent disability, stigma and discrimination. Different photographs IEC enclosed herewith and marked as (Annexure-C).

The following services are being provided for proper care, protection to the people affected with ( leprosy through National Leprosy Eradication Programme (NLEP) regularly as detailed below:

i)

M.D.T. (Multi Drug Therapy): M.D.T. (Multi Drug Therapy) and other drugs for management of leprosy is provided free of cost to all leprosy patients at all Govt. health facilities of the State. The district wise stock of

6

MDT as on Nov. 2021 is enclosed herewith and marked as (Annexure-D) for kind perusal.

- Discrimination against women's suffering from leprosy & Persons affected with Leprosy (PAL): There is no discrimination against women suffering from leprosy in availing health care facilities from PHC to DHH level Medical Colleges. Leprosy and services are integrated to General health 2005-06 as per system since Care India guidelines. Government of while treating leprosy However, complications if any, the health institutions are using general beds in their respective dept. like surgery ward /Medicine / Chest & TB etc. so that the leprosy patients are not discriminated. However, in Leprosy Home & Hospital, Cuttack, 205 beds are available for Leprosy affected persons.
- A CARACTAR

**Distribution of MCR footwear free of cost:** MCR footwear and ulcer kits are provided free of cost to leprosy affected persons. Funds have been provided to

7

ii)

iii)

the districts for procurement of MCR footwear & Ulcer kits and distribute them amongst persons affected with leprosy. The distribution position of MCR footwear up-to the end of Nov' 21 is enclosed herewith and marked as (Annexure-E).

<u>Direction (C)</u>: Status of availability of treatment, beds, drugs (including MDT) at the various hospitals, PHCs, health care centres in urban and rural locations

Status of availability of treatment, beds, drugs (including MDT) at the various hospitals, PHCs, Health care centres in urban & rural locations is detailed as under:

- i) MDT: The MDT is the only drug for treatment of leprosy. Each MB combi pack contains Rifampicin, clofazimine and dapsone and PB combi pack contains Rifampicin and dapsone. MDT is available in district where new cases are being detected.
- ii) Ulcer Kit: Ulcer kit which contains anti septic lotion, anti septic cream, bandage, moisturizing cream, scrapper which is



provided free of cost to the persons affected with leprosy having ulcers. District wise distribution of ulcer kits enclosed at (Annexure-F). All other medicines required by the patient are provided from general health care system. Anti diabetics, anti hypertension and drugs for chronic diseases are provided to persons affected with leprosy for 30 days so that he / she will not come to the hospital frequently (Annexure-G).

iii) Treatment beds etc: For treatment of leprosy complications if any, the health institutions in PHC, CHC and urban areas are using general beds in their respective dept. like surgery ward /Medicine / Chest & TB etc. so that the leprosy patients are not discriminated. However, in Leprosy Home & Hospital, Cuttack, 205 beds are available for Leprosy affected persons.

## <u>Direction (d)</u>: Status of filling up of vacant posts of Medical Officers and Staff :



There are 31 (Thirty one) Additional District Leprosy Officers in 30 Districts & Capital Hospital, Bhubaneswar to manage the NLEP (National Leprosy Eradication Programme). There are also 22 (Twenty two) sanctioned posts of District Leprosy Consultants

under NHM in high endemic districts to assist / help ADPHO (Leprosy) for implementation of NLEP. Two (2) NMS and 45 PMWs continuing against existing post. However, all other vacant post of PMW, NMS & support staff were abolished vide Govt. order No:44260/H, dtd:22.11.2001 communicated vide Govt. letter No: 25776/H dtd: 14.09.2021 (Annexure and the programme no more runs as vertical H) programme as per Govt. of India guideline under NLEP and has been integrated to general health care system. The Leprosy work is being carried out by General Health Care (GHC) Staff including Medical Officers, AYUSH MOs, ASHA, Multi Purpose Health Worker (MPHW). The ASHAs identify the suspected leprosy cases and refer to the nearest medical officers of the health facilities for confirmation. The Medical Officer will confirm the leprosy cases and MDT treatment. Some MPHW are re-designated as Block Nodal Leprosy Worker (BNLW) and posted at Block headquarter to look after the NLEP programme.

## Inclusion of RCS under BSKY) of order dtd: 30.11.2021



Steps are being taken to start Reconstructive Surgery under Biju Swasthya Kalyan Yojana (BSKY) in empanelled private Hospitals free of cost as many tendon transplant surgeries already exist in BSKY. A proposal has been submitted to CEO, SHAS vide letter No: 485, dtd:10/11/2021 which was enclosed at (Annexure - I).

6. That, the facts stated above are true to the best of my knowledge and based on available Official records.
 IDENTIFIED BY ME
 Identified by
 JEPONENT

Advocate S Cleik, S R Advocate General's Office

Cuttack Date :冲 /12/2021

Swar Acharya 1 Multary, Govt. Of India Odiaha, BBSR, Dist-Khurth Regd. No.-7791/2089

Certified that cartridge papers are not available.881906177

ADDL. GOVERNMENT ADVOCATE







District Wise Prevalence of Leprosy (		of Nov	2021)
number of lonrosvi	ena	OF INOV	. 2021)
District Mise Prevalence of Lepics			

	District	Population	Under Treatment		/10000 Population			
SI.No			PB Case	MB Cases	Total	РВ	MB	Total
	Angul	1449899	54	114	168	0.37	0.79	1.16
	Balasore	2642144	22	54	76	0.08	0.20	0.29
2	Baragarh	1686052	95	309	404	0.56	1.83	2.40
3	Bhadrak	1717621	53	68	121	0.31	0.40	0.70
4	Balangir	1879578	86	339	425	0.46	1.80	2.26
5	Boudh	501559	70	122	192	1.40	2.43	3.83
6	Cuttack	2985650	29	96	125	0.10	0.32	0.42
7	Deogarh	355906	21	28	49	0.59	0.79	1.38
8	Dhenkanal	1360108	65	145	210	0.48	1.07	1.54
9	Gajapati	656575	1	12	13	0.02	0.18	0.20
10	Ganjam	4013406	114	315	429	0.28	0.78	1.07
11	J.S.Pur	1295868	2	19	21	0.02	0.15	0.16
12	Jajpur	2082179	43	170	213	0.21	0.82	1.02
13	Jharsuguda	660701	32	60	92	0.48	0.91	1.39
14	Kalahandi	1793476	57	195	252	0.32	1.09	1.41
15	Kendrapara	1641653	9	37	46	0.05	0.23	0.28
16	Keonjhar	2055388	26	90	116	0.13	0:44	0.56
17	Khurda	1406849	38	81	119	0.27	0.58	0.85
18	Koraput	1569875	48	110	158	0.31	0.70	1.01
19	Malkangiri	698585	16	23	39	0.23	0.33	0.56
20	Mayurbhanj	2866150	101	236	337	0.35	0.82	1.18
	Nowrangpur	1389539	53	147	200	0.38	1:06	1.44
22	Nayagarh	1097044	30	65	95	0.27	0.59	0.87
25	Nuapada	691473	81	184	265	1.17	2.66	3.83
24	Kandhamal	834515	10	13	23	0.12	0.16	0.28
25	Puri	1935908	14	49	63	0.07	0.25	0.33
20	Rayagada	1096751	16	21	37	0.15	0.19	0.34
	Sambalpur	1190756	49	94	143	0.41	0.79	1.20
20	Sonepur	743482	45	107	152	0.61	1.44	2.04
	Sundergarh	2372213	83	239	322	0.35	1.01	1.36
30	Bhuvaneswar	1154257	17	31	48	0.15	0.27	0.42
31	State	47825159	1380	3573	4953	0.29	0.75	1.04

P.B.: Paucibacillary

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M.B: Multibacillary

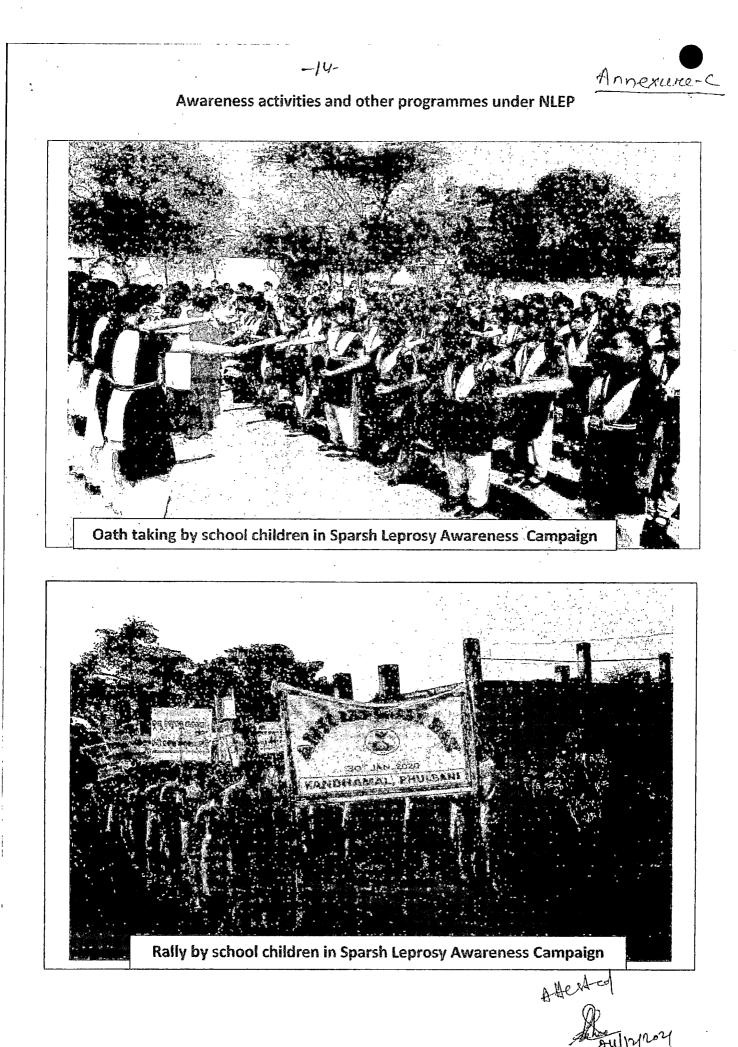
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Regular Survey conducted under Leprosy from 2016-17 to 2020-21 (up to Nov'21) in Odisha			
Year	New Cases Registered		
2016-17	10045		
2017-18	9576		
2018-19	10786		
2019-20	10077		
2020-21	6148		
2021-22 (upto Nov 21)	3888		

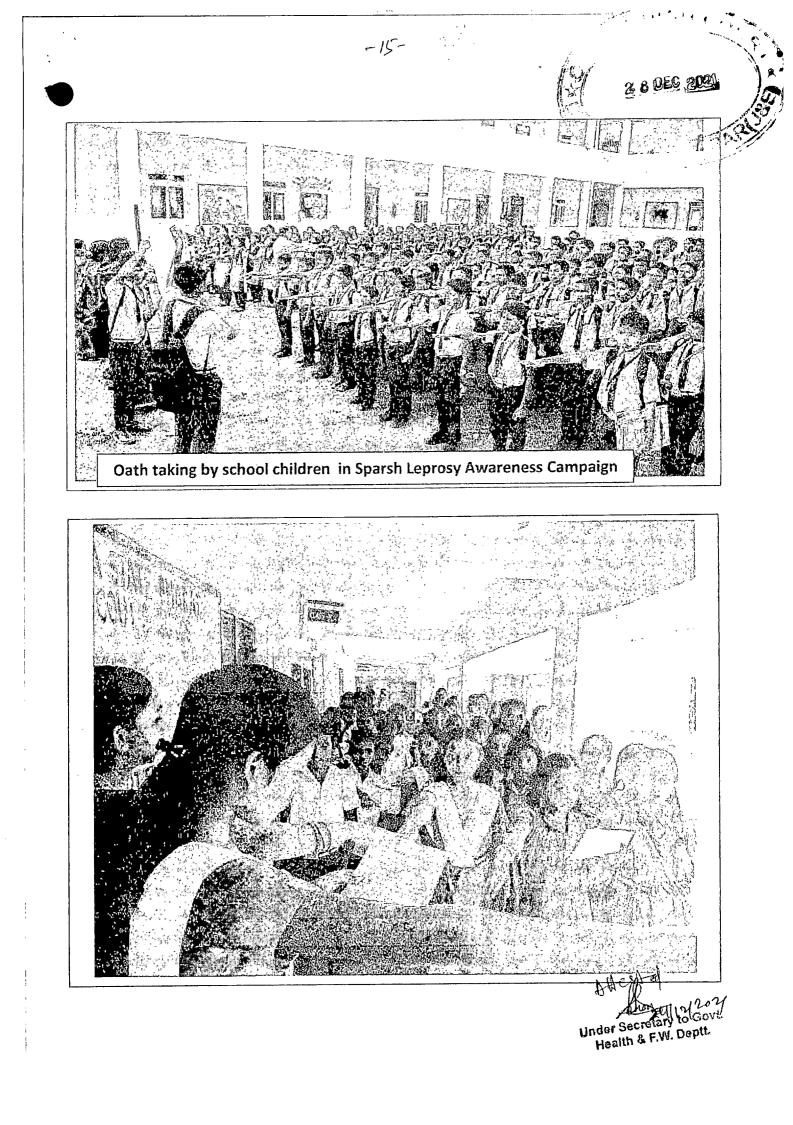
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Under Secretary to Govt. Health & F.W. Deptt.



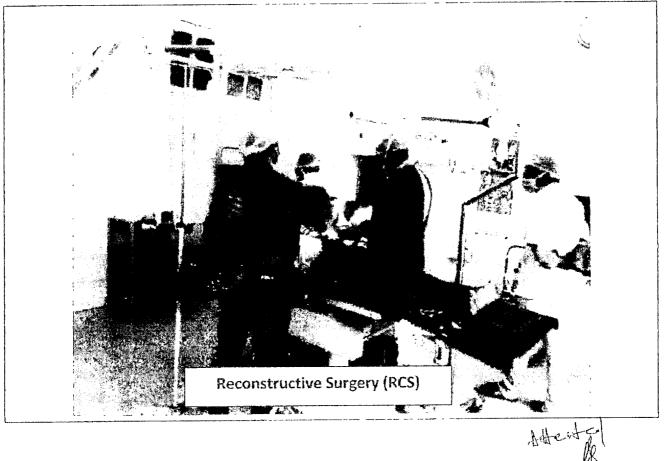
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Oath taking by health staff in Sparsh Leprosy Awareness Campaign

Adlent Under Secretary to Gov Health & F.W. Dopti. yo dovt.

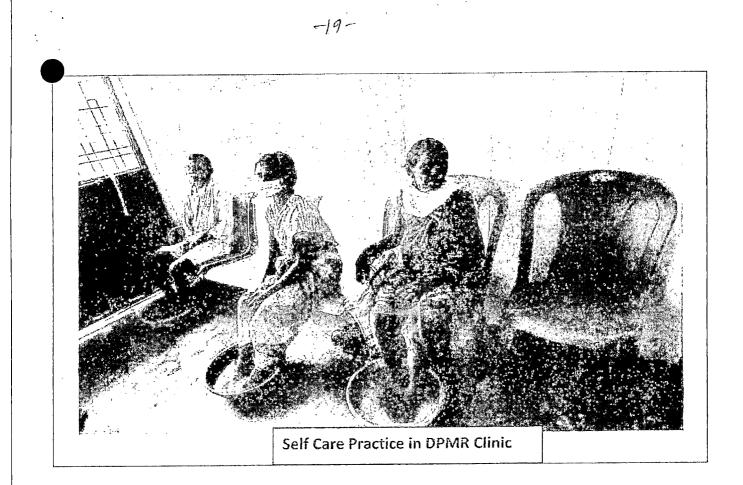


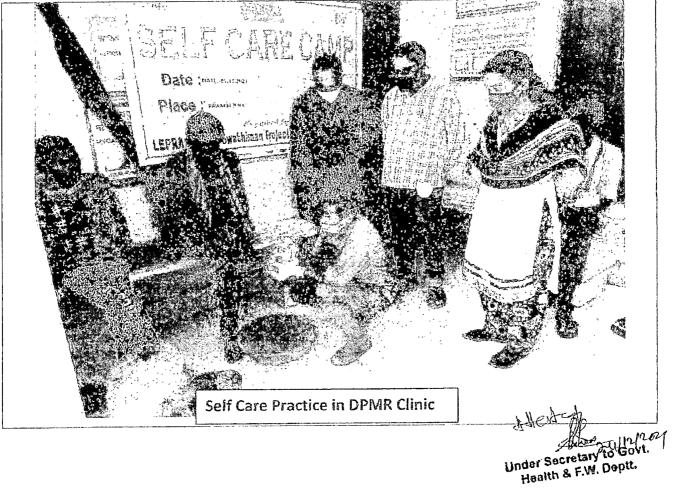


Under Secretary to Govt.

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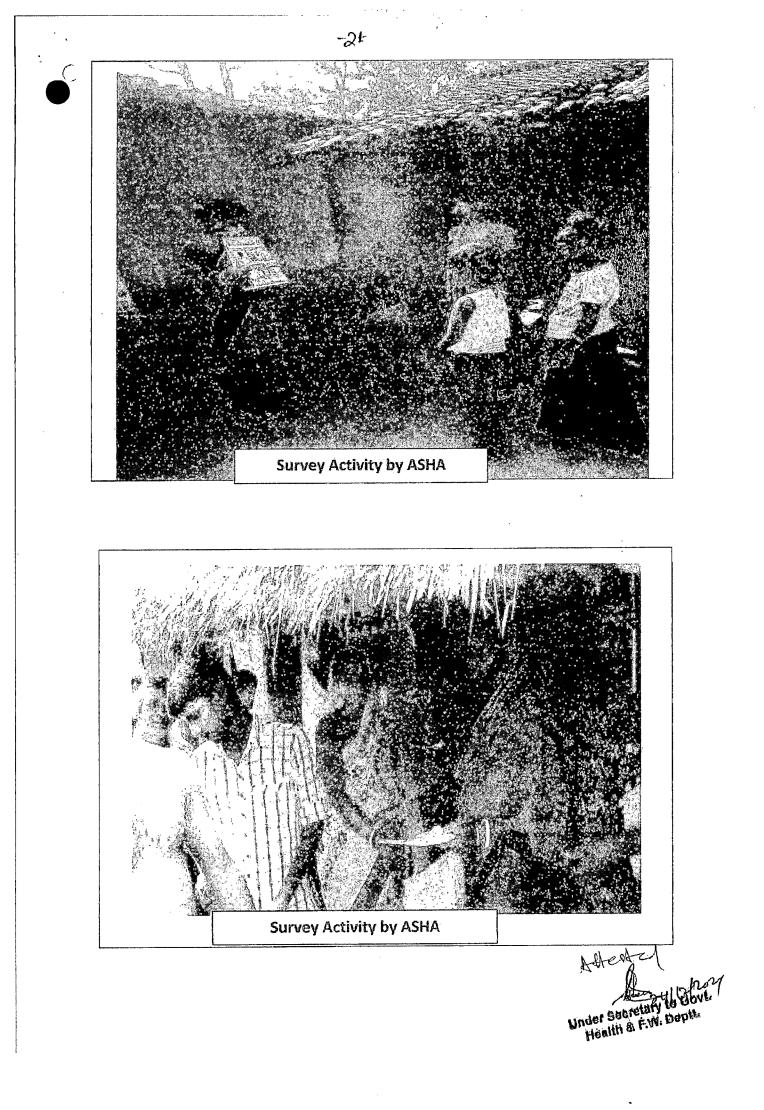


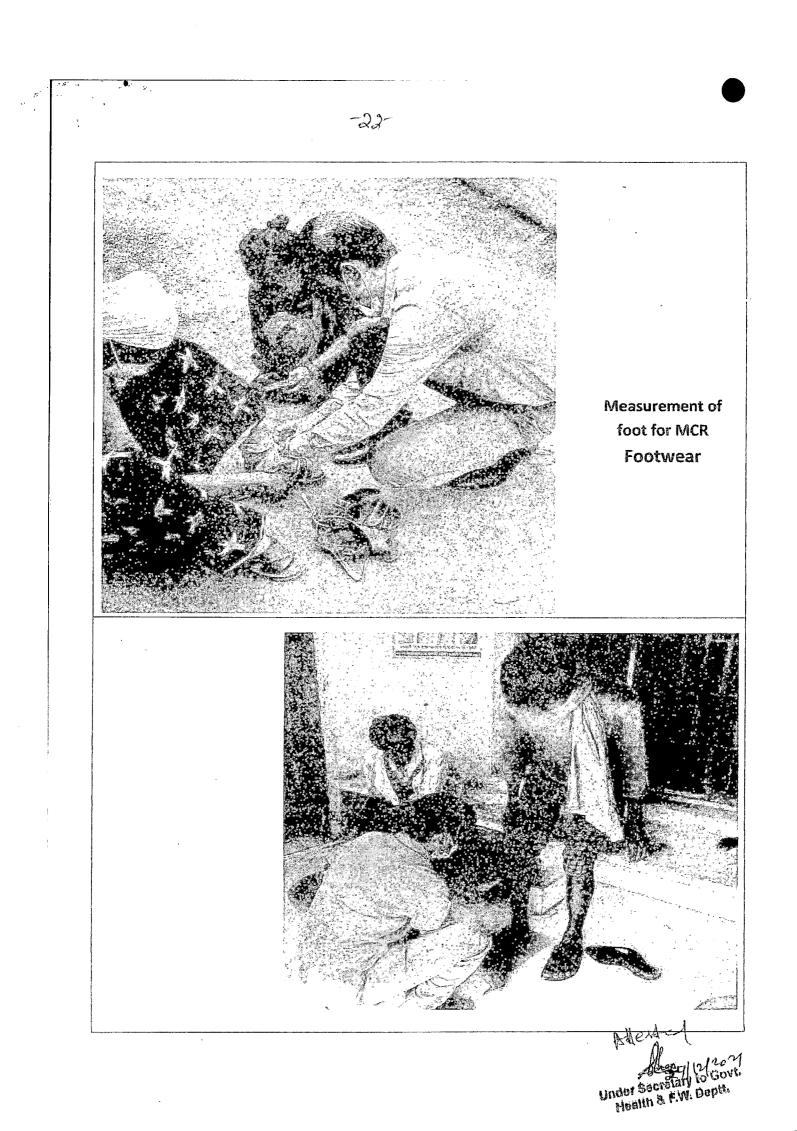




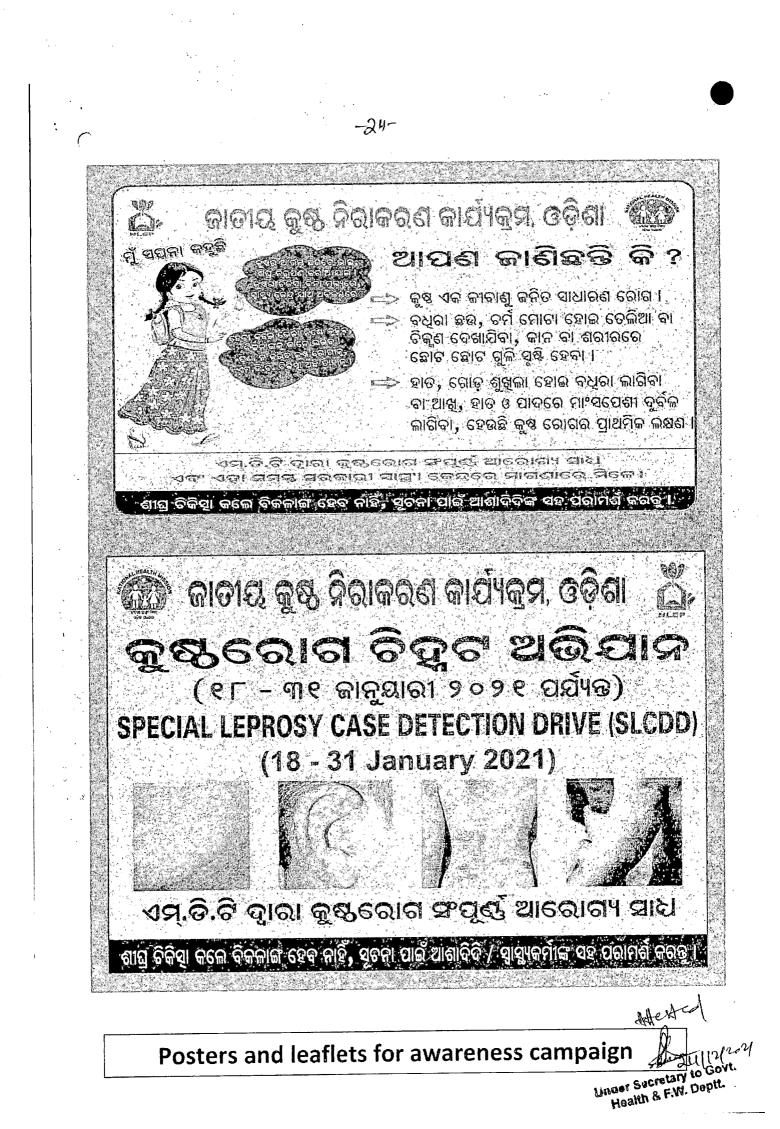


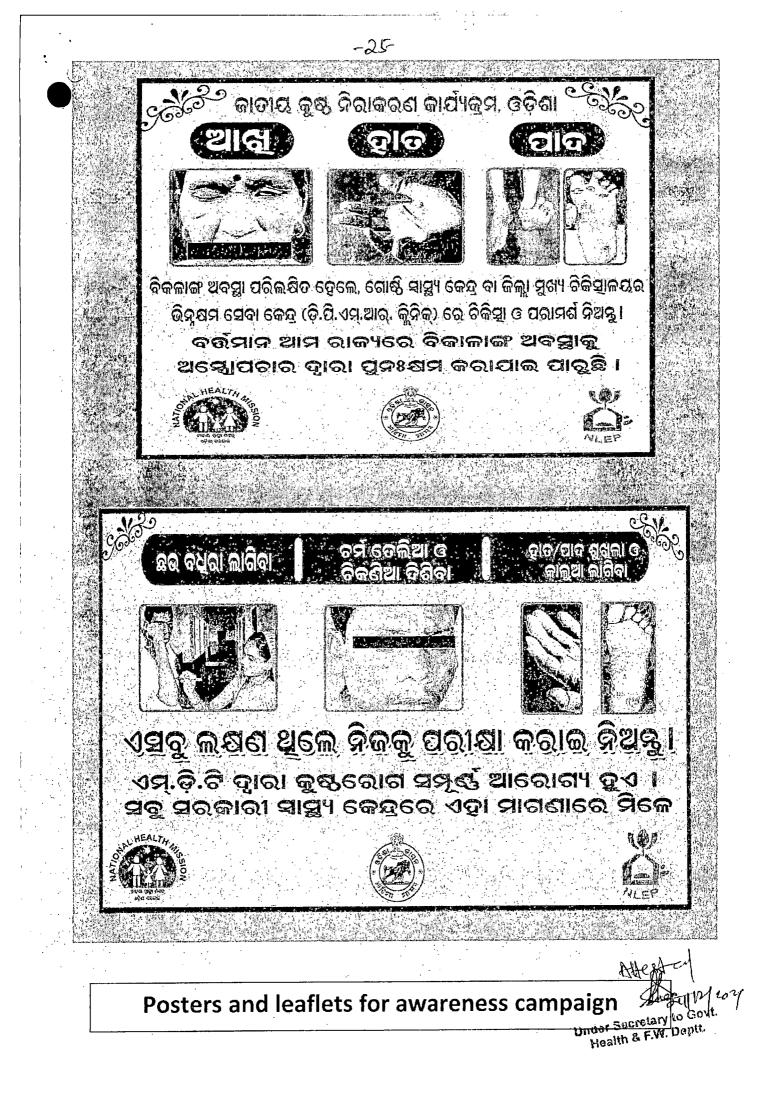
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## District wise Case Load & MDT stock position

Si No	District	No. of Patients under Treatment	Total MDT Blister Packets available after providing MDT to patients
1	Angul	168	153
2	Balasore	76	82
3	Baragarh	404	563
4	Bhadrak	121	149
5	Balangir	425	1529
6	Boudh	192	231
7	Cuttack	125	246
8	Deogarh	49	300
9	Dhenkanal	210	491
10	Gajapati	13	163
11	Ganjam	429	722
12	Jagatsinghpur	21	47
13	Jajpur	213	96
14	Jharsuguda	92	89
15	Kalahandi	252	400
16	Kendrapara	46	97
17	Keonjhar	116	280
18	Khurda	119	122
19	Koraput	158	299
20	Malkangiri	39	110
21	Mayurbhanj	337	270
22	Nowrangpur	200	386
	Nayagarh	95	15.6
24	Nuapada	265	371
	Phulbani	23	77
	Puri	63	141
	Rayagada	37	113
	Sambalpur	143	239
	Sonepur	152	301
	Sundergarh	322	378
	Bhuvaneswar	48	130
<u> </u>	Total	4953	7146
	State Stock	~	9661
	Gr	and Total	16807

NB: MDT stocks are supplied to the districts as per the need/requirement depending on the detection of new cases

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Annexure -1

Under Secretary to Govt. Health & F.W. Deptt.

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SI No	District	2020-21	2021-22 (Nov.21)
1	Angul	234	216
2	Balasore	389	273
3	Baragarh	612	549
4	Bhadrak	202	178
5	Balangir	384	254
6	Boudh	142	115
7	Cuttack	247	281
8	Deogarh	44	33
9	Dhenkanal	153	148
10	Gajapati	18	19
11	Ganjam	240	199
12	Jagatsinghpur	65	5
13	Jajpur	69	44
14	Jharsuguda	205	74
15	Kalahandi	3.13	251
16	Kendrapara	.57	39
17	Keonjhar	231	126
18	Khurda	149	155
19	Koraput	357	281
20	Malkangiri	138	145
21	Mayurbhanj	477	152
22	Nowrangpur	268	338
23	Nayagarh	74.	81
24	Nuapada	123	174
25	Phulbani	17	41
26	Puri	128	111
27	Rayagada	190	120
28	Sambalpur	134	111
29	Sonepur	249	144
30	Sundergarh	346	206
31	Bhuvaneswar	28	18
t	Total Stock	6283	4881

Attested Under Secretary to Govt. Health & F.W. Deptt. 2021

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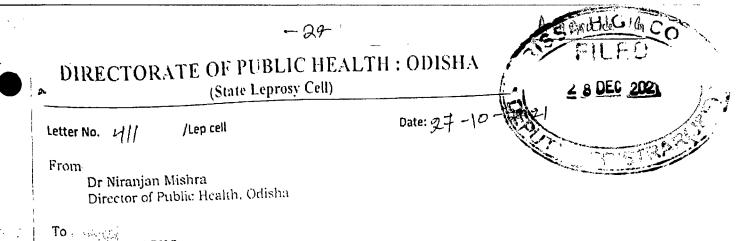
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Annexure - F

#### District wise Distribution of Ulcer Kits

SI No	District	2021-22 (upto Nov.21)
1	Angul	135
2	Balasore	402
3	Baragarh	240
4	Bhadrak	396
5	Balangir	187
6	Boudh	118
7	Cuttack	242
8	Deogarh	47
9	Dhenkanal	146
10	Gajapati	64
11	Ganjam	545
12	Jagatsinghpur	0
13	Jajpur	142
14	Jharsuguda	72
15	Kalahandi	183
16	Kendrapara	74
17	Keonjhar	120
18	Khurda	150
19	Koraput	186
20	Malkangiri	157
21	Mayurbhanj	216
22	Nowrangpur	226
23	Nayagarh	97
24	Nuapada	135
25	Phulbani	154
26	Puri	68
27	Rayagada	110
28	Sambalpur	161
29	Sonepur	16
30	Sundergarh	165
31	Bhuvaneswar	4
	Total Stock	4958

Atteste ron Under Secretary to Gove Health & F.W. Duptt.



All CDM&PHOs

Sub: Provision for supply of Ulcer kits and other drugs and consumables to persons affected with Leprosy (PAL) and Leprosy Colonies

#### Sir/Madam

Hon'ble High Court of Odisha had passed orders on 02.09.2021 & 14.07.2021 on WP (C) 13403 of 2015 that the persons affected with leprosy (PAL) who requires long term treatment like ulcer dressing and other treatment should be provided with the same by the health care providers. The health facilities to ensure supply of dressing materials, anti-biotics etc. from Niramaya. Some PALs might be suffering from chronic diseases like Diabetes, Hypertensions etc in addition to leprosy. As per Hon'ble Supreme Court Order dated 14/09/2018 vide (WP (C) 1151/2017 WP (C) 767/2014 (Pankaj Sinha Vs Union of India and others) all services to PALs have to be integrated to the general health system. Therefore, it has been decided in NLEP State Coordination Committee Meeting held on 07.10.2021 that all PALs should be provided medicines and healthcare from general healthcare system.

Funds for ulcer kits is being placed with the districts. Leprosy patients will be provided with Dressing materials or medicines of chronic diseases like Hypertensions, Diabetes for a period of 30 days or as per the need of the patients so that patient will not come to the hospital frequently to collect medicines. Further weekly visit of health care providers/ MHUs must be ensured to leprosy colonies and all PALs.

Hon'ble High Court of Odisha on W.P. (C) 13403 of 2015 filed by Sri B.B. Pradhan have directed to provide required health services in Leprosy colonies for which a nodal worker may be entrusted for the purpose.

It is decided to instruct all the ADPHO (Leprosy) to take necessary action regarding distribution of field visits among BNLWs / MPHW (M&F)/ MPHSs covering all Leprosy Colonies and also to maintain a

Under Socretary Depte.

Ground Floor, Heads of the Department Building, Unit-V. Bhubaneswar-751001, Odisha Email: sloodisha2019,@gmail.com

	. • ¥	-30-	
	DIRECTORATE	OF PUBLIC HEALTH : ODISHA (State Leprosy Cell)	~``'
	Letter No. /Lep Record of activities condu provided to inmates of Le compliance to the Hon'ble	acted in Leprosy colonies. Reports on services eprosy colonies be submitted to the State for	
		Yours faithfully, V RF-10.21 Director of Public Health, Odisha	
	Memo No	/D1 27 -10 - 2021,	
	Copy forwarded to necessary action.	all ADPHOs (Leprosy) for information and	
*	Memo No 413	/Dt_27-10-2021/	
÷ •		MD,OSMCL for kind information and	
	necessary action.	Director of Public Health, Odisha	
		Under Secretary to Gov Health & F.W. Deptt.	1.





#### GOVERNMENT OF ODISHA HEALTH & FAMILY WELFARE DEPARTMENT

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/H.

No. ユダアチビ File No HFW-MSIII-PG-0006-2020 Date. 14-19-2-02-1

From

To

Mamata Barik, OAS

Joint Secretary to Government

The Commissioner-cum- Secretary to Govl.

Social Security & Empowerment of Persons with Disabilities Deptt,

Sub: Filling up of posts of Para Medical Workers, Non Medical Supervisors and support staff (Dressers and Attendants etc.) trained in Leprosy.

Ref- Your letter No.6982, dtd.06.08.2019

Sir,

In inviting a reference to the subject cited above, I am to inform you that the posts of PMW and Leprosy Asst.and NMS have been abolished vide Govt. Order no 44260/H dated 22.11.01. At present, this programme is being implemented as ACDRS in the field by ASHA and supported by MPW (M&F). MPHS and confirmed by M.O. It no more runs as a vertical programme as per GOI guideline under NLEP and has been integrated to primary health care system. Hence, as per present scenario, the process of filling of the posts, which are already abolished does not arise.

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This is for information and necessary action.

B 42 12/19/21

Joint secretary to Government

Yours faithfully,

Attected

Under Secretary to Boyt. Health & F.V.

#### -32-

#### DIRECTORATE OF PUBLIC HEALTH : ODISHA (State Leprosy Cell)

Letter No. 485 /Lep cell From

Date: 10,11,21

Dr Niranjan Mishra

Director of Public Health, Odisha

То

The Special Secretary to Govt. cum CEO, SHAS, Odisha

Sub- Inclusion of Reconstructive Surgery (RCS) under BSKY for Persons Affected with a second second to the second se

Madam,

Grade 2 Deformity/Disability of Persons Affected with Leprosy (PAL) covers visible deformity of Hands, Feet and also Eyes (visual impairment, lagophthalmos, iridocyclitis, corneal opacities etc. Every year Reconstructive Surgery (RCS) is being done for all eligible Persons Affected with Leprosy (PAL). It is a continuous process and being done in some DHH, Medical Colleges and Leprosy Homes & Hospitals. It requires around 90 days of hospital stay (Pre & Post Operative Management) which includes intensive physiotherapy.

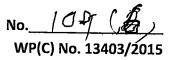
Due to some constraints, RCS is not being done at all DHH, Medical Colleges for which RCS eligible cases are not being operated in time and backlog is increasing. As per NLEP mandate, there should not be any RCS pending cases at the time of elimination. For this we need inclusion of private health facilities to increase resources, and more availability of health institutions who can perform RCS

Hence it is requested to kindly include RCS for eligible PALs in BSKY scheme so that many deformity/ disability patients will be benefitted.

Yours faithfully,

10-11-21 Director of Public Health, Odisha

Attes Under Secretary to Health & F.W. Depill.



#### FROM

## THE SUPERINTENDENT OF THE HIGH COURT OF ORISSA, CUTTACK

То

1. Collector, Khurda/ Puri/ Balasore

2. C.D.M.O., Khurda/ Puri/ Balasore

Dated. Cuttack the \_\_\_\_\_\_ 2 · 1 - 22 · \_\_\_\_ 2021

Sir,

I am directed to forward herewith copy of Court's Order Nos.26 dated 30.11.2021 passed in WP(C) No. 13403/2015 (Bipin Bihari Pradhan.- vrs – State of Odisha & Others) for your information and necessary action.

Yours faithfully

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#### **SUPERINTENDENT**

olc Mae

Email

## In the High Court of Orissa, Cuttack W.P.(C) No. 13403 OF 2015.

From : High Court Of Odisha < highcourt.or@nic.in>

- Subject : In the High Court of Orissa, Cuttack W.P.(C) No. 13403 OF 2015.
  - **To :** Collector and District Magistrate Khordha <dmkhurda@nic.in>, Mr Samarth Verma <dmpuri@nic.in>, Mr K Sudarshan Chakravarthy IAS <dm-balasore@nic.in>
  - Cc : CDMO, NRHM Orissa <cdmokhurda@ori.nic.in>, CDMPHO Puri <cdmopuri@ori.nic.in>, CDMO Balasore Orissa <cdmobalasore@ori.nic.in>

Mon, Jan 03, 2022 03:37 PM @1 attachment

### Sir,

Enclosed herewith please find attachment bearing the Hon'ble Court's Issue No. 109 (6) / Dated. 03.01.2021.

Yours faithfully,

Sd/-Superintendent, Writ Branch- Division Bench-I, HIGH COURT OF ORISSA, CUTTACK.



#### GOMPUTERISED FILING COUNTER ORISSA HIGH COURT,CUTTACK <u>ACKNOWLEDGEMENT SLIP</u>

Seat No: 105

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## Branch No : WRIT BRANCH (DIVISION BENCH)

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Receipt No : 79826/2021 Case No : **WP(C) 13403/2015** Received From : Respondent Filed By: M/S B.P.TRIPATHY Document(s) Filed :

33- Additional Document

Date Of Receiving : 29/11/2021

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11/29/2021, 11:15 AN