

GOVERNMENT OF ODISHA

WORKS DEPARTMENT

No. LEGAL-MISCSB-0001-2021 9479 /W., Dated 5.7.21
From

Dr. Chitrasen Rout, OAS (S),
Joint Secretary to Government.

To

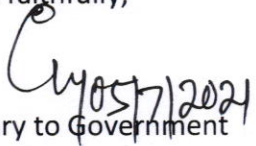
The EIC (Civil), Odisha/
The C.E, NHs, Odisha/
The Chief Architect, Odisha.

Sub: Vacation of stay after six months from the date of such order unless extension is granted for good reason- Instruction regarding.

Sir,

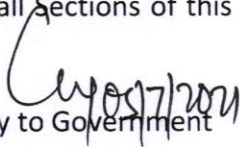
In inviting a reference to the subject cited above, I am directed to enclose herewith a copy of the letter No.16495/Gen, dated 29.06.2021 of G.A & P.G Department, along with the Order No.03 dated 19.03.2021 passed by the Hon'ble High Court of Odisha in the WP(C) No.2863 of 2021 (State of Odisha & others Vrs Shibashis Kar) in the light of the order of Hon'ble Supreme Court in the case of Asian Resurfacing of Road Agency Private Ltd. and another Vs. Central Bureau of Investigation in Criminal Appeal No.1375-1376/2013 and clarified in MA No.1577/2020 vide order dated 15.10.2020 which speaks for itself. The observations of the Hon'ble Court may please be kept in view while dealing with similar matters to uphold the interest of the state.

Yours faithfully,


Joint Secretary to Government

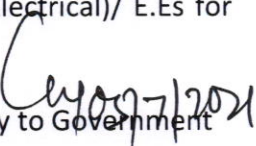
Memo No. 9480 /W., Dated 5.7.21

Copy along with enclosures forwarded to all Divisional Heads/all Sections of this Department for information and necessary action.


Joint Secretary to Government

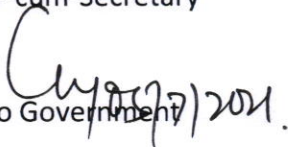
Memo No. 9481 /W., Dated 5.7.21

Copy along with enclosures forwarded to all C.Es/ S.Es/ S.E (Electrical)/ E.Es for information and necessary action.


Joint Secretary to Government

Memo No. 9482 /W., Dated 5.7.21

Copy along with enclosures forwarded to the P.S to Commissioner-cum-Secretary to kind information of Commissioner-cum-Secretary.


Joint Secretary to Government

Memo No. 9483 /W., Dated 5.7.21

Copy along with enclosures forwarded to the Notice Board/ OSWAS Control Room for offline as well as online display in the Departmental Website.


Joint Secretary to Government

o/c

dy No- 67.1/C-22
2.7.21

118

B
SRS
2.7.21

No 16495 / Gen
GAD-SC-CASE1-0032-2021

Government of Odisha
General Administration & Public Grievance Department

Bhubaneswar, Dated 29th June, 2021

To

All Departments of Government,
All Heads of Departments,
All Collectors.

Sub- Vacation of stay after six months from the date of such order unless extension is granted for good reason - Instruction regarding.

In inviting reference to the subject cited above, I am directed to say that matters remain in dead lock for months together due to the stay order passed by the Hon'ble Courts.

The Hon'ble High Court, Orissa, while disposing the W.P. (C) No. 2863 of 2021 (State of Odisha & others Vrs Shibashis Kar) vide Order No. 03 dated 19.03.2021, citing the authority of the Hon'ble Supreme Court have observed that as per decision of the Hon'ble Supreme Court held in case of Asian Resurfacing of Road Agency Private Ltd. and another v. Central Bureau of Investigation in Criminal Appeal No. 1375-1376/2013 and clarified in MA No. 1577/2020 vide order dated 15.10.2020, any stay order passed by any Court cannot remain effective beyond six months unless a specific order has been passed by the Court.

It is, therefore, requested that the above observation of the Hon'ble Supreme Court may be kept in view while dealing with such matters.

The subordinate offices under their control may be intimated accordingly.

(Signature)
29.6.2021

Additional Secretary to Government

17
Memo No. 16496.,

Dated. 29th June, 2021

Copy forwarded to all Sections of G.A. & P.G. Department / Guard file (10 copies)/ G.A. & P.G. Department Library (10 copies) for information and necessary action.

G.A. & P.G. 29.6.21

Additional Secretary to Government

SAS