

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.4802 OF 2010

M/s. Brightstar Pvt. Ltd.

....

Petitioner(s)
Mr.L.Pangati,Sr.Adv.

-versus-

The Chief General Manager
(IIDCO) and another

....

Opposite Party(s)
Mr.S.P.Mishra,Sr.Adv.

CORAM:
JUSTICE BISWANATH RATH

ORDER
11.01.2023

Order No.
05.

1. Heard learned counsel for the Parties.
2. Counter affidavit filed by Opposite Party Nos. 1 & 2 is taken on record.
3. In course of hearing it has been brought to the notice by way of additional affidavit that there has been further persuasion involving the issue involved herein and there is rejection of such request vide Annexure-14 merely because of pendency of such Writ Petition at hand. Mr. Mishra, learned Senior Advocate has no serious objection to such plea but however, submits pendency of Writ Petition obstructing reconsideration exercise.
4. Considering the rival contentions of the Parties, this Court finds, for there is requirement of undertaking to fresh exercise on the request of the Petitioner, the Writ Petition stands disposed of simply observing that in a fresh consideration the development through Annexure-11 may not come in the way of fresh consideration. For there is creation of scope for reconsideration of the issue involved, this Court observes, consideration process vide Annexure-14 stands

revived. Decision as appropriate in the involvement of the Petitioner be taken at least within a period of two months from the date of communication of certified copy of this order by the Petitioner. In the event there is no third party creation involving the property involved herein, status quo a involving such property shall be maintained till a decision is taken.

5. With this observation, the Writ Petition stands disposed of.

(Biswanath Rath)
Judge

Swarna

