

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 7452 of 2006

M/s. Refcem Private Ltd. ***Petitioner***
Mr. Manoj Kumar Mishra, Senior Advocate
-versus-
Orissa State Financial Corporation ***Opposite Parties***
and Others
Mr. Prasanta Kumar Nayak, Advocate

CORAM:
THE CHIEF JUSTICE
JUSTICE A.K. MOHAPATRA

Order No.

ORDER
14.03.2022

13. 1. The Petitioner participated in a public auction held by the Opposite Party (Orissa State Financial Corporation) way back in 1997. Claiming to be the successful bidder, the Petitioner approached this Court none years later with the present petition when possession of the property in question was not handed over to it. On 9th June, 2006 an interim order was passed by this Court directing the OSFC not to change the character of the property.
2. The writ petition has been pending for 16 long years here with no progress. The interim order is continuing. Admittedly, the value of the property today is much higher than what it was when it was put to auction.
3. Although Mr. Mishra, learned Senior counsel for the Petitioner argues that it was the fault of the OSFC that the Petitioner was not handed over possession of the property in question, this Court cannot be unmindful of the consequences of allowing the

Petitioner to take over possession on the basis of the bid submitted by it 25 years ago for the same property.

4. It will be open to the Petitioner to make an offer to the OSFC purchase the property at the current market value. If such a representation is made not later than 4th April, 2022 it will be considered on its merits by the OSFC and an appropriate order will be passed thereon after hearing the Petitioner not later than 9th May, 2022.

5. The Court makes it clear that it has not expressed any view in the matter. The interim order stands vacated.

6. The writ petition is disposed of with the above terms.

(Dr. S. Muralidhar)
Chief Justice

(A.K. Mohapatra)
Judge

S.K. Jena/P.A