

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 25020 of 2012

Pallava Granite Industries

.....

Petitioner

Mr. M. Kanungo, Sr. Adv.

Vs.

State of Orissa and others

.....

Opposite parties

Mr. T. Pattnaik, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

29.04.2022

I.A. No. 5291 of 2022

Order No.

22.

This matter is taken up through hybrid mode.

2. Heard Mr. M. Kanungo, learned Sr. Counsel for the petitioner.
3. This application has been filed by the petitioner for recalling of the order dated 07.04.2022 passed in W.P.(C) No. 25020 of 2012, by which the writ petition was disposed of due to non-appearance of the petitioner, and also for having become infructuous by efflux of time, as was stated by learned counsel for the opposite parties.
4. Mr. M. Kanungo, learned Senior Counsel appearing for the petitioner contended that so far as refund of penalty is concerned, the matter is sub-judice before the apex Court.
5. In view of the above submission, this Court is not inclined to recall the order dated 07.04.2022. However, it is clarified that disposal of the writ petition would be dependant upon the ultimate result of the matter pending before the apex Court, so far as refund of penalty is concerned.
6. I.A. is accordingly disposed of.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE