

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.1067 of 2022**

***Dipak Kumar Sahoo***

***..... Petitioner***

**Mr. B.P. Das, Advocate**

***-versus-***

***State of Odisha and others***

***..... Opposite Parties***

**Mr. Debakanta Mohanty, A.G.A.**

**CORAM:  
THE CHIEF JUSTICE  
JUSTICE M.S. SAHOO**

**ORDER  
28.01.2022**

**Order No.**

01. 1. This matter is taken up by video conferencing mode.
2. Learned counsel appearing for the Petitioner seeks leave to withdraw the present petition with liberty to approach the Excise Commissioner, Odisha (Opposite Party No.2) by way of an appeal challenging the impugned demand notice.
3. The writ petition is accordingly disposed of as withdrawn with liberty as prayed for.
4. If such appeal is filed by the Petitioner not later than 7<sup>th</sup> February 2022, then till such time Opposite Party No.2 takes up the application for interim relief, the impugned demand notice will not be given effect to.
5. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned

advocate, in the manner prescribed vide Court's Notice No.4587, dated 25<sup>th</sup> March, 2020, modified by Notice No.4798, dated 15<sup>th</sup> April, 2021, and Court's Office Order circulated vide Memo Nos. No.514 and 515 dated 7<sup>th</sup> January, 2022.

**(Dr. S. Muralidhar)**  
**Chief Justice**

**( M. S. Sahoo )**  
**Judge**

*S.K. Guin*

