

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 1756 of 2013

Sukanta Kumar Dalai

.....

Petitioner

Mr. N. Jugharsingh, Adv.

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. J.P. Pattnaik, G.A.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

04.01.2022

Order No.

02.

This matter is taken up through hybrid mode.

2. The petitioner has filed this writ petition seeking to quash the order dated 30.11.2012 passed by opposite party no.4 under Annexure-5 directing for deduction of royalty from the final bill.

3. As it appears, though this writ petition was filed in the year 2013, but till date the petitioner has not pursued to get the matter listed nor the defect pointed out by the Stamp Reporter has been removed, which itself indicates that the petitioner is no more interested to pursue the matter.

4. Mr. N. Jugharsingh, learned counsel for the petitioner contended that the petitioner has approached this Court well within the time, but for some reason or the other, the petitioner has not been able to pursue the writ petition and, as such, for that reason, the petitioner should not suffer. Therefore, he prays for disposal of the representation filed by the petitioner under Annexure-4.

5. Mr. J.P. Pattnaik, learned Government Advocate states that by efflux of time, the writ petition has become infructuous. As such, this is not a case where direction can be given to the

authority to consider the representation of the petitioner.

6. Having heard learned counsel for the parties and after going through the records, since the petitioner has challenged the order dated 30.11.2012 under Annexure-5 and in the meantime more than nine years have been passed, by efflux of time, the writ petition has become infructuous.

7. Accordingly, the writ petition is disposed of as infructuous.

(DR. B.R. SARANGI)
JUDGE

Ashok

(S.K. PANIGRAHI)
JUDGE

