

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.50 of 2017

M/s. Jindal Stainless Limited

....

Appellant

Ms. S. Pattnaik, Advocate

-versus-

***M/s. Gupta Power Infrastructure
Limited and another***

....

Respondents

CORAM:

THE CHIEF JUSTICE

JUSTICE CHITTARANJAN DASH

ORDER

13.10.2022

Order No.

02.

1. The challenge in the present appeal is to an order dated 16th January 2017 passed by the learned Single Judge dismissing the Appellant's W.P.(C) No.20420 of 2016.

2. In the said writ petition, the Appellant had challenged an order dated 28th June 2016 passed by the Director of Industries-cum-Chairman of the Micro and Small Enterprises Facilitation Counsel, Odisha, Cuttack in MSEFC Case No.14 of 2014 directing the Appellant to pay principal and interest amount up to 31st March 2014 as per Section 15 and 16 of the MSMED Act, 2006. The learned Single Judge noted that despite opportunity to the Appellant by forwarding an application of claim to it to file a reply, no counter affidavit had been filed.

3. Despite opportunity, with no counter affidavit has been filed, the Appellant was not in a position to demonstrate that there was any settlement arrived at between the parties.

4. The learned Single Judge was in the above circumstances justified in not interfering with the demand raised by the Respondent.

5. Having heard learned counsel for the Appellant, the Court is unable to come to a different conclusion. There is no merit in the present writ appeal and it is dismissed as such.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

M. Panda/S.K. Guin

