

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14302 of 2010

Ramani Ranjan Sahoo

Petitioner

M/s. S. K. Purohit and associates, Advocate

-versus-

***Khadi and Village Industries Board,
Khurda and others***

Opposite Parties

None

**CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK**

**ORDER
25.04.2022**

Order No.

03. 1. The prayer in the present petition is for quashing the certificate proceedings in Certificate Case No.30 of 2002 wherein it was stated that the Petitioner owed a sum of Rs.2,26,377/- and it was proposed to execute the certificate by arrest and imprisonment of the Petitioner.
2. While directing notice to issue in the present petition on 14th September, 2010 by this Court, there was a stay granted of further proceedings in the aforementioned Certificate Case. That interim order has continued since. In fact, the matter was never listed after 14th September, 2010 till now when it is listed in due course.
3. Although, according to the Petitioner, the Petitioner has paid the entire dues and does not owe anything to Opposite Party No.1, the Counter affidavit filed by Opposite Party No.1 disputes this. It is pointed out that the margin money subsidy was not released due to deficiency in the documents submitted by the Petitioner through the

Bank. Further and more importantly, the Petitioner failed to repay the loan instalments and consequently Opposite Party No.1 “was compelled to file a Certificate Case against the Petitioner for recovery of loan dues in terms of Agreement.”

4. The above reply was filed on 24th February, 2011 and no rejoinder has been filed till date.

5. The assertion by the Petitioner that he owes nothing to Opposite Party No.1 and the contrary assertion thereto by Opposite Party No.1 in the affidavit mentioned hereinbefore give rise to disputed questions of fact, which cannot be possibly resolved in the present writ petition. Consequently, the Court is not inclined to grant the relief as prayed for in the present petition. It is accordingly dismissed. The interim order stands vacated.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge

M. Panda