

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.361 of 2012

*The Food Corporation of India,
Bhubaneswar and another*

....

Appellants

Mr. D. Nayak, Advocate

-versus-

Sri Surendra Biswal

....

Respondent

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

**ORDER
20.07.2022**

Order No.

04. **Misc. Case No.511 of 2017**

1. For the reasons stated, the Misc. Case is allowed. Accordingly, the delay in filing the writ appeal is condoned.

W.A. No.361 of 2012

2. In view of the common judgment of this Court dated 30th September 2014 in W.A. No.181 of 2012 (*Food Corporation of India, Bhubaneswar v. M/s. Binayak Food Products*), which was directed against the same impugned common judgment dated 3rd March 2012 passed by the learned Single Judge which has been assailed in the present appeal, the present writ appeal is also allowed in the same terms and the impugned order of the learned Single Judge in the corresponding OJC No.7918 of 1997 is hereby set aside.

3. Issue urgent certified copy as per rules.

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

**(R.K. Pattanaik)
Judge**