

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.358 of 2012

*The Food Corporation of India,
Bhubaneswar and another*

....

Appellants

Mr. D. Nayak, Advocate

-versus-

M/s. Prakash Store, Cuttack

....

Respondent

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

**ORDER
20.07.2022**

Order No.

03. **Misc. Case No.198 of 2017**

1. This matter is taken up by a separate notice.
2. For the reasons stated, the Misc. Case is allowed. Accordingly, the delay in filing the writ appeal is condoned.

W.A. No.358 of 2012

3. 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.7920 of 1997 is hereby set aside.
4. Issue urgent certified copy as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge