

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 27137 of 2017

Mahasweta Construction Pvt. Ltd.

.....

Petitioner

Mr. S.K. Parida, Advocate

Vs.

State of Orissa & Ors.

.....

Opposite Party

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

13.04.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. S.K. Parida, learned counsel for the petitioner.
3. The petitioner has filed this writ petition seeking direction to the opposite parties to refund the amount, which was already deducted by way of 1% labour welfare cess from its running bill, with interest, within a stipulated period.
4. The writ petition was filed on 27.12.2017. Vide order dated 29.03.2018, it was directed by the Deputy Registrar (J) that the defects pointed out by the Stamp Reporter be removed within one week, failing which the matter would be placed before the Bench for orders. Again the matter was listed on 01.08.2018 and on that date none had appeared on behalf of the petitioner and this Court directed that the defects, as pointed out by the S.R., be removed within two weeks from that day. Till date, the defects, as pointed out by the S.R., have not been removed. Otherwise on merit also, since the petitioner claims for refund of cess, the same can be redressed by the authority. Therefore, it is open to the petitioner to pursue its remedy before the appropriate authority in terms of the DTCN/Agreement

executed between the parties.

5. With the above observation, the writ petition stands disposed of.

Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Alok/Puspa

(SAVITRI RATHO)
JUDGE

