

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22443 of 2014

M/s. Care Security Allied Service ***Petitioner***
Mr. S.C. Pradhan, Adv.

-versus-

The Director of Economics & ***Opp. Parties***
Statistics, Odisha, Bhubaneswar
and Ors.

Mr. A.K. Mishra, AGA

CORAM:
DR. JUSTICE B.R. SARANGI
MR. JUSTICE S.K. PANIGRAHI

ORDER
12.01.2022

Order No.

06.

1. This matter is taken up through Video Conferencing mode.
2. None appears for the petitioner at the time of call.
3. Heard Mr. A.K. Mishra, learned Additional Government Advocate for the State.
4. The petitioner has filed this writ petition seeking to quash the order dated 13.11.2014 under Annexure-6 passed by the opposite party no.5- Deputy Director (P & S), District Planning & Statistics, DPMU (Statistical Wing), Balasore cancelling the advertisement no.914 dated 27.09.2014 and award of contract to the petitioner and subsequent agreement deed, and to direct the opposite party no.2-Collector, Balasore-cum-Chairman,

Tender Committee on Outsourcing of Manper to DPMU, Balasore to allow the petitioner and his empoloyees to function in their respective works who have already joined in their work from 11.11.2014.

5. Mr. A.K Mishra, learned Additional Government Advocate for the State contended that after four days of allotment of work, the aforesaid advertisement was cancelled because of some irregularities and consequence thereof, the petitioner has already taken back the Earnest Money Deposit of Rs.30,000/- and Security Deposit of Rs.50,000/- which was received in shape of bank draft. Therefore, there exists no relationship between the petitioner and the opposite parties. Consequence thereof, reliefs sought by the petitioner cannot be granted.

6. Having heard the learned Additional Government Advocate for the State and on perusal of the record, since the contract has already been closed by refunding the Earnest Money Deposit amount and security deposit amount, reliefs sought by the petitioner cannot be granted at this stage and, more so, in the meantime, more than seven years have passed, by efflux of time, the writ petition has become infructuous.

7. Accordingly, this writ petition stands disposed of as infructuous.

8. As the restrictions due to resurgence of Covid-19 are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the Advocate concerned with his/her seal, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 and Court's Office Order dated 7th January, 2022.

(Dr. B.R. Sarangi)
Judge

(S.K. Panigrahi)
Judge

BJ

