

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 7114 of 2017

***M/s. Vesaj Engineers and
Construction Pvt. Ltd.,
Bhubaneswar***

.....

Petitioner

Mr. R.K. Mohanty, Sr. Advocate

Vs.

***Mahanadi Coalfields Ltd. and
others***

.....

Opposite Parties

*Mr. S.D. Das, Sr. Advocate
(O.Ps.1&2)*

CORAM:

DR. JUSTICE B.R. SARANGI

Mr. JUSTICE G. SATAPATHY

ORDER

26.08.2022

Order No.

04.

This matter is taken up through hybrid mode.

2. Heard Mr. R.K. Mohanty, learned Senior Counsel appearing along with Mr. D. Varadwaj, learned counsel for the petitioner and Mr. S.D. Das, learned Senior Counsel appearing along with Mr. H. Mohanty, learned counsel for the opposite parties.

3. An affidavit has been filed on behalf of opposite parties no.1 and 2 on 17.08.2022. Paragraphs-9 and 10 whereof state as follows:

“9. That the deponent most humbly and respectfully submits that in the meantime there has been efflux of about five years from the date of publication of e-tender notice wherein the period of completion was 369 days, for which it is most humbly submitted that the subject work is no more required by MCL and is liable to be cancelled.

10. That the deponent most humbly and respectfully submits as the aforesaid writ application is pending the OP No.1 & 2 have as in duty bound desisted from cancelling the subject tender though the same is no more required”.

4. In view of the affidavit so filed by opposite parties

no.1 and 2, the writ petition stands disposed of.

5. Interim order dated 25.04.2017 passed in M.C. No.6413 of 2017 stands vacated. However, it is open to opposite parties no.1 and 2 to cancel the tender.

6. Issue urgent certified copy of this order as per rules.

(DR. B.R. SARANGI)
JUDGE

(G. SATAPATHY)
JUDGE

Alok/Subhasmita

