

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 5499 of 2022

K. Rajendra Patro

.....

Petitioner

Mr. J. Sahoo, Adv.

Vs.

***Managing Director, Odisha Forest
Development Corporation Limited and others***

.....

Opposite Parties

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

11.03.2022

Order No.

This matter is taken up through hybrid mode.

1.

2. The petitioner has filed this writ petition seeking direction to the opposite parties for allotment of Lot No.04 and 25/20, Budhighati and Budhighati-Mix of Cashew Plantation in his favour, within a stipulated time.

3. Mr. J. Sahoo, learned counsel for the petitioner contended that pursuant to the advertisement under Annexure-1, though the petitioner participated in the process of lease, but opposite party no.4, having been selected, the EMD amount deposited by the petitioner was refunded by the authority by post which was acknowledged by him. Now, opposite party no.4 is not willing to operate the lease and she is a defaulter, as found by the authority. Thereby, the petitioner claims that the lease should be granted in his favour by accepting his EMD.

4. As it appears, the EMD, which was deposited by the petitioner, having been refunded to him and he having accepted the same, without any protest, the petitioner has foregone his right. Thereby, this Court is not inclined to entertain this writ petition.

5. Accordingly, the writ petition merits no consideration and the same is hereby dismissed.

**(DR. B.R. SARANGI)
JUDGE**

**(SAVITRI RATHO)
JUDGE**