

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 23442 of 2017

Mr. Dukhdev Sarkar

.....

Petitioner

*Mr. Milan Kanungo, Sr. Advocate along
with Mr. P.R. Mishra, Advocate*

Vs.

State of Odisha & Another

.....

Opposite parties

Mr. P.P. Mohanty, A.G.A.

CORAM:

**DR. JUSTICE B.R. SARANGI
MISS JUSTICE SAVITRI RATHO**

ORDER

05.04.2022

Order No.

07.

This matter is taken up through hybrid mode.

2. Mr. Milan Kanungo, learned Senior Advocate appearing for the petitioner states that in compliance of the order dated 04.10.2021 passed by this Court in CMAPL No.160 of 2021, the petitioner has already deposited Rs.5000/- in Orissa High Court Bar Association Advocates' Welfare Fund. As a consequence thereof, the writ petition has been restored to file.

3. Heard Mr. Milan Kanungo, learned Senior Advocate appearing along with Mr. P.R. Mishra, learned counsel for the petitioner and Mr. P.P. Mohanty, learned Addl. Govt. Advocate for the State.

4. The petitioner has filed this writ petition seeking implementation of the order passed by the Revisional Authority dated 09.09.2010 under Annexure-5.

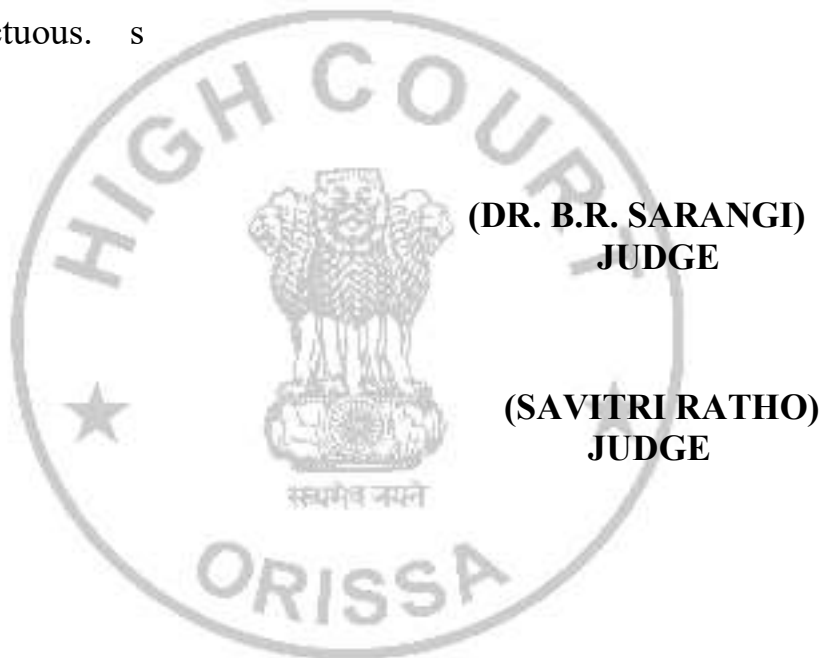
5. Mr. Milan Kanungo, learned Senior Advocate appearing for the petitioner vehemently contended that though the order was passed on 09.09.2010 by the Revisional Authority, but till date the same has not been given effect to, though he has approached the

authority time and again, in view of Rule 54 of the Mineral Concession Rules, 1960.

6. Mr. P.P. Mohanty, learned Addl. Govt. Advocate for the State contended that in the meantime, in view of the amendment made to Section 10A(2) of the MMDR Act, the order itself passed by the Revisional Authority has lapsed and, as such, the writ petition has become infructuous.

7. Having heard learned counsel for the parties and after going through the records, in view of amendment of Section 10A(2) of the MMDR Act, the writ petition has become infructuous.

8. Accordingly, this writ petition stands disposed of as infructuous. s



Alok/Sukanta