

IN THE HIGH COURT OF ORISSA AT CUTTACK
WA No.302 of 2022

Poonawalla Fincorp Limited

....

Appellant

Mr. Jagdish Biswal, Advocate

-versus-

Ratikanta Satapathy & Others

....

Respondents

None

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. RAMAN

ORDER (Oral)

28.07.2022

Order No.

- 02.** 1. This matter is taken up by virtual/physical mode.
2. The Respondent-Ratikanta Satapathy approached this Court craving for issuance of writ of mandamus to the Opposite Party No.2-Chairman, Poonawalla Finance Corporation Ltd., under Article 226 of the Constitution of India to revoke suspension of the Petitioner or to allow premature conditional separation from Company with survival package towards livelihood due to loss of employment. However, while disposing of the writ petition being W.P.(C) No. 35556 of 2021, the learned Single Judge, vide order dated 26th November, 2021 passed the following order:-

“***

5. *This being the limited grievance of the Petitioner, this Court, without expressing any opinion on the merits of the case, disposes of the writ petition directing Opposite Party No.2 to consider the representation filed by the Petitioner vide Annexure-6 and pass appropriate order in*

accordance with law within a period of three months from the date of production of certified copy of this order.”

3. The Opposite Party No.2-Chairman Poonawalla Finance Corporation Ltd., being aggrieved by the said order of this Court filed the present writ appeal on the ground that no direction invoking powers under Article 226 of the Constitution of India could be issued to the Appellant-Company inasmuch as the Company is Private Non-Banking Finance Company which does not fall within the ambit of Article 12.

4. This Court considering the grievance of the Appellant-Company issued notice to the Respondent No.1-Ratikanta Satapathy, vide order dated 12th May, 2022. When the matter is taken up for further consideration today, Mr. Jagadish Biswal, counsel for the Appellant files a memo in Court, which is taken on record, seeking permission to withdraw the writ appeal being WA No. 302 of 2022.

5. In view of the unconditional withdrawal being prayed for, the writ appeal is dismissed as withdrawn.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge