

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11090 of 2016

Dhadeswar Sahu

....

Petitioner

M/s. R. Mohanty and associates, Advocates

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Ishwar Mohanty, ASC

CORAM:

THE CHIEF JUSTICE

JUSTICE M.S. RAMAN

ORDER

24.11.2022

Order No.

04.

1. Inasmuch as appeal lies before the Excise Commissioner, Odisha under Rule 252 of the Odisha Excise Rules, 2017, against the impugned order the Court directs that the Petitioner will file its appeal before the Excise Commissioner against the impugned order on or before 2nd January, 2023 and the delay in filing such appeal will stand condoned by virtue of this order. The Commissioner will hear the Petitioner and pass appropriate orders in the appeal in accordance with law within a period of three months thereafter. Till such time the appeal is disposed of, the interim order passed by this Court on 26th July, 2016 will continue. It is clarified that the Court has not expressed any view on merits. It will be open to the Petitioner to raise all the pleas urged in the present petition before the Commissioner in the aforementioned appeal.

2. The petition is disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(M.S. Raman)
Judge