

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9325 of 2014

M/s. RKD Construction Pvt. Ltd.

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

The Commissioner of Commercial Taxes, Odisha and another

....

Opposite Parties

Mr. S.K. Pradhan, Additional Standing Counsel

CORAM:

THE CHIEF JUSTICE

JUSTICE M.S. RAMAN

ORDER

08.12.2022

Order No.

07.

1. Learned counsel appearing for the Petitioner seeks leave to withdraw the present petition with liberty to challenge the impugned assessment order in accordance with law by way of a statutory appeal.

2. If such appeal is filed not later than 1st February 2023 accompanied by an application for condonation of delay explaining the delay on account of the pendency of the present writ petition, it will be considered in accordance with law by the appellate authority. If the appeal is filed within the time stipulated along with an application for stay, then till such time the appellate authority considers the application for stay, the interim order passed by this Court on 8th September 2014 will continue. The amount already deposited pursuant to the said interim order will abide by the orders of the appellate authority. The original annexure, if any, be returned subject to being substituted by attested photocopy thereof.

3. The writ petition is disposed of as withdrawn with liberty as prayed for in the above terms.

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

(Dr. S. Muralidhar)
Chief Justice

(M.S. Raman)
Judge

S.K. Guin

