

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 17781 of 2014

Kalinga Allied Industries

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Petitioner

Mr. T. Mishra, Advocate

Vs.

***Orissa Mining Corporation
Ltd., Bhubaneswar***

.....

Opposite party

Mr. I.A. Acharya, Advocate

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

29.04.2022

Order No.

4

This matter is taken up through hybrid mode.

2. Heard Mr. T. Mishra, learned counsel for the petitioner and Mr. I.A. Acharya, learned counsel for the opposite party.

3. The petitioner has filed this writ petition challenging the order/letter dated 19.04.2014 under Annexure-4, by which the commitment amount of Rs.28,45,000/- deposited by the petitioner with Orissa Mining Corporation Ltd. has been forfeited for non-compliance of the terms and conditions of the contract.

4. Mr. T. Mishra, learned counsel for the petitioner states that Annexure-4 dated 19.04.2014

has been passed without compliance of the principle of natural justice.

5. Mr. I.A. Acharya, learned counsel for the opposite party states that the commitment amount so deposited by the petitioner with Orissa Mining Corporation Ltd. has been forfeited for non-compliance of the terms and conditions of the contract.

6. Considering the contentions raised by learned counsel for the parties and after going through the records, since it is purely a contract matter, this Court is not inclined to entertain this writ petition. However, it is open to the petitioner to pursue its remedy before the appropriate forum, if it is so advised.

7. With the above observation, the writ petition stands disposed of.

Issue urgent certified copy as per rules.

Alok /sukanta

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(DR. B.R. SARANGI)
JUDGE

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(SAVITRI RATHO)
JUDGE