

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7132 of 2019

M/s. India Coke and Power Private Limited, Mumbai ***Petitioner***

Mr. S. Sekhar, Advocate

-versus-

Union of India and others ***Opposite Parties***

Mr. Subash Chandra Mohanty, Senior Standing Counsel for
Opposite Party No.3 and

Mr. Radheshyam Chimanka, Senior Standing Counsel for
Opposite Party No.5

CORAM:
THE CHIEF JUSTICE
JUSTICE M.S. RAMAN

ORDER
28.11.2022

Order No.

16. 1. At the request of learned counsel for the Petitioner, the Opposite Party No.3 is deleted from the array of the parties.
2. In view of the judgment of this Court dated 1st August, 2022 in W.P.(C) No.1684 of 2019 (***M/s. Paradeep Phosphates Ltd. v. Union of India***), liberty is granted to the Petitioner to make an appropriate application for refund together with statutory interest in terms of the order dated 10th April, 2019 passed in the present writ petition to the effect that “payment which will be made by the Petitioner shall be subject to result of the writ petition.” The Proper Officer will quantify the amount in accordance with law taking into account the judgment of the Supreme Court of India in ***Union of India v. Mohit***

Minerals Pvt. Ltd., 2022 SCC OnLine 657. The Proper Officer will examine the records of the Petitioner and take appropriate decision within a period of three months from the date of production of the certified copy of this order.

3. The petition is disposed of in the above terms. Issue urgent certified copy of this order as per Rules.

(Dr. S. Muralidhar)
Chief Justice

(M.S. Raman)
Judge

M. Panda

