

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.7937 OF 2022

Kallolini Jena

.....

Petitioner

Mr. Gopal Prasad Jena, Advocate

-versus-

**The Principal Secretary to Government
and others**

....

Opp. Parties

Mr. Suvashish Pattnaik,
Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

25.07.2022

Order No.

3. 1. This matter is taken up through hybrid mode.
2. The Petitioner has filed this writ petition with the
 following prayer:

“In the aforesaid facts and circumstances, it is humbly prayed that the Hon’ble Court may graciously be pleased to admit the writ application and issue RULE NISI calling upon the opposite parties to show cause as to why the letter under Annexure-4 issued by the Opposite Party no.3 should not be quashed as the same is totally illegal and due to non-application of mind and appropriate writs should not be issued directing the Opposite Party no.2, i.e. Collector, Dhenkanal to refund the E-Stamp duty amounting to Rs.22,843/- with interest which was purchased by the petitioner on 10.03.21.

And if the Opposite Parties fail to show cause or show insufficient cause, the said Rule Nisi may be made absolute and upon hearing the parties through their counsel, this Hon’ble Court be further pleased to allow the prayer of petitioner in quashing the letter under Annexure-4 issued by the Opposite Party No.3 as the same is totally illegal and due to non-application of mind and in issuing appropriate writ/s in the nature of mandamus directing the Opposite Party no.2 i.e. Collector, Dhenkanal to refund the E-Stamp duty amounting to Rs.22,843/- with interest which was purchased by petitioner on 10.03.21.

And be further pleased to pass such other order/orders, direction/directions and/or writ/writs as it deem fit and proper in the facts and circumstances of the case.

And for this act of your Lordships kindness the petitioner as in duty bound shall ever pray.”

3. In course of hearing, Mr. Jena, learned counsel for the Petitioner prays for withdrawal of the writ petition seeking liberty to file a fresh one with better particulars.

4. Granting such liberty, this writ petition is disposed of as withdrawn.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks

