

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**OTAPL No.9 of 2012**

***M/s. Jas Motors***

***.... Appellant***

Mr. P.K. Jena, Advocate

***-versus-***

***Additional Commissioner of Sales Tax  
(North Zone) Odisha and another***

***.... Respondents***

Mr. Sunil Mishra, A.S.C.

**CORAM:**

**THE CHIEF JUSTICE**

**JUSTICE M.S. RAMAN**

**ORDER**

**01.12.2022**

**Order No.**

- 04.
1. Learned counsel appearing for the Appellant seeks leave to withdraw the present appeal with liberty to file an appeal before the Commissioner under Section 79 (7) of the OVAT Act, 2004.
  2. The appeal is accordingly disposed of as withdrawn with liberty as prayed. If such appeal is filed not later than 9<sup>th</sup> January 2023, accompanied by an application for condonation of delay explaining the delay on account of the pendency of the present appeal, it shall be considered in accordance with law by the Commissioner.
  3. The Court clarifies that it has not expressed any view in the matter. Original of the Annexures filed be returned to the learned counsel for the Appellant subject to their being substituted by attested photocopies thereof. The interim order passed earlier stands vacated.

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

***(Dr. S. Muralidhar)***  
***Chief Justice***

***(M.S. Raman)***  
***Judge***

*S.K. Guin*

