

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 8495 of 2022

***Orissa Manganese and
Minerals Ltd.***

.....

Petitioner

Mr. S.K. Dash, Advocate

Vs.

State Of Odisha and others

.....

Opposite Parties

Mr. P.P. Mohanty, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

07.04.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. S.K. Dash, learned counsel for the petitioner and Mr. P.P. Mohanty, learned Additional Government Advocate for the State.

3. The petitioner-company has filed this writ petition seeking direction to opposite party no.2 to delete the errors apparent on the face of the record in its communication dated 11.02.2022 vide Annexure-14 and to direct the opposite party no.1 to pass a speaking order with respect to the working of the Suleipat Iron Ore Mines pursuant to the representation dated 16.03.2022 of the petitioner vide Annexure-17 in accordance with the Joint Venture Agreement and Raising Agreement both dated 12.04.2010 read with Consent Arbitral Award dated 20.01.2018 as well as the Final Terms of settlement dated 03.09.2021 and Escrow Agreement dated 09.09.2021 as given effect to vide order dated 07.10.2021 by the district Judge, Mayurbhanj at Baripada in Execution Case No. 1 of 2019 as well as order dated 15.02.2022 passed by this Court

in CMP No. 819 of 2021 in compliance with principles of natural justice and providing opportunity of hearing to the petitioner.

4. Learned counsel for the petitioner contended that to protect its rights, the petitioner-company has filed a representation on 16.03.2022 under Annexure-17, to the Principal Secretary, Department of Steel & Mines, opposite party no.1 enclosing the order dated 15.02.2022 passed by this Court in CMP No. 819 of 2021 and requesting not to give the working permission and dispatch permission to the lessee as it would be contrary to the Final Terms of Settlement and Escrow Agreement and as well as contravention to the orders of this Court. However, no decision has yet been taken on such representation. Therefore, he prayed that direction may be issued to opposite party no.1 to consider such representation of the petitioner-company within a stipulated time, to which learned counsel for the State has no objection.

5. As agreed to by learned counsel for the parties, this Court disposes of the writ petition directing opposite party No.1 to consider the representation filed by the petitioner vide Annexure-17, and pass appropriate reasoned and speaking order in accordance with law within a period of six weeks from the date of production of certified copy of this order.

6. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Arun/ Bichi

(SAVITRI RATHO)
JUDGE