

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7675 of 2010

Md.Ayub Ali

.... ***Petitioners***
Mr.N.P.Parija, Advocate

-versus-

***Managing Director, O.S.F.C.,
Cuttack & Others***

.... ***Opp.Parties***

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAİK**

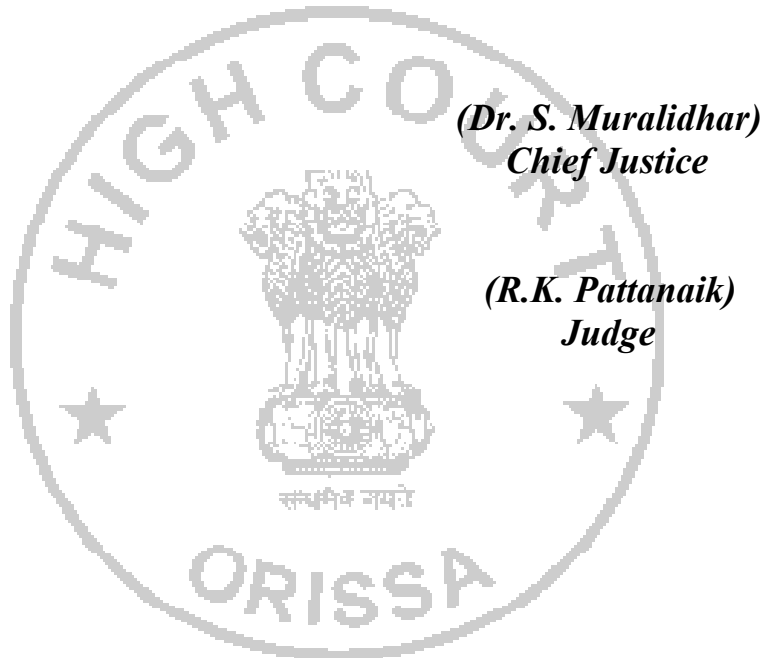
**ORDER
24.02.2022**

Order No.

3. 1. Notice was issued in this petition filed by an auction purchaser seeking refund of sum of Rs.2,51,200/- paid by him way back on 29th January, 2008. Although counsel entered appearance for the O.S.F.C. till date, no counter affidavit has been filed.
2. Counsel for the Petitioner states that, as if now the property in question i.e. a limestone factory is in a dilapidated condition and not possible to be taken over. In any event possession thereof has not been given to the Petitioner till date. He, therefore, claims refund of the amount paid by him in sum of Rs.2,51,200/- plus reasonable interest.
3. No counter affidavit has been filed till date to contradict the above submission. In the circumstances, the Court

directs the Opposite Party-O.S.F.C. to pay the Petitioner a sum of Rs.2,51,200/- together with simple interest at 6% per annum from the date of payment of the above amount till the date of its refund, which shall not be later than 4th April, 2022. If the refund is not made by the aforementioned time, penal simple interest @ 9% per annum would be payable for the period of delay.

4. The writ petition is disposed of in the above terms.



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