

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.9602 of 2022

Sri Dipak Kumar Mishra

....

Petitioner

Mr. Bhawani Sankar Panigrahi, Advocate

-versus-

The State of Odisha & Others

....

Opposite Parties

Mr. L. Samantaray, Addl. Govt. Advocate

Mr. Prafulla Kumar Rath, Advocate for

Opp.Party No.5

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)

25.08.2022

Order No.

- 02.**
1. This matter is taken up by virtual/physical mode.
 2. The Petitioner claims to have purchased the rights for operating IMFL 'ON' shop under the name & style of Chevrolet Bar & Restaurant in Ward No. 20 of Baripada Municipality from the original licensee i.e. Ranjit Kumar Mohanty (Opposite Party No.5) vide an agreement to transfer the Bar license and irrevocable power of attorney.
 3. The prayer made in the present petition is for issuance of mandamus prohibiting the Commissioner of Excise not to allow the original licensee to shift the shop from the present site to a new site, although it is conceded that the said transfer of license was never approved by the Excise Department.

4. At the time of hearing, counsel for the Petitioner, in the light of the office order dated 20th August, 2022 passed by the Excise Commissioner permitting the shifting, prays for permission to withdraw the present petition to enable his client to file fresh petition challenging the aforesaid order dated 20th August, 2022.

Counsel for the Opposite Parties have no objection.

5. In view of the above, the writ petition is disposed of as withdrawn with the aforesaid liberty.

(Jaswant Singh)

Judge

(M.S. Raman)

Judge

Aks

August 25, 2022 Cuttack

