

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P. (C) No. 19372 of 2016

M/s Luxmi Narayan Enterprises *Petitioner*
Mr. Bijaya Panda, Advocate
-versus-

The Sales Tax Officer, Puri Circle, *Opposite Parties*
Puri & Others
Mr. Sidharth Shankar Padhy, Advocate

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
15.03.2022

Order No.

10. 1. This matter is taken up by virtual/physical mode.
2. The Petitioner by way of writ petition challenged the assessment order dated 24th June, 2016 passed U/s 42 of the Odisha Value Added Tax, 2004 (OVAT) for the tax periods from 1st April, 2013 to 31st March, 2015, wherein demand of tax and penalty to the tune of Rs.61,23,555/- was raised by the Sales Tax Officer, Puri Circle, Puri.
3. Today, the matter was listed under the heading “for orders”. A memo came to be filed by Mr. Bijaya Panda, counsel for the Petitioner seeking permission for withdrawal of the writ petition with liberty to avail alternative remedy.
4. The prayer of the Petitioner is allowed. The Petitioner is directed to file appeal within a period of four weeks from today along with a petition for condonation of delay indicating that the writ

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petition has been pending before this Court since 2016. The Appellate Authority is directed to consider the appeal on its merit subject to the Petitioner complying with other statutory requirement.

5. In order to facilitate the Petitioner to file appeal, the original assessment order may be returned by retaining photo copy of the same in the record.

6. With the above observation and direction, the writ petition is disposed of.

Issue urgent certified copy as per rules.



Laxmikant

March 15th, 2022 Cuttack