

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10320 of 2022

***M/s. Budhraja Mining and
Construction Ltd.***

.... Petitioner

Mr. Avijit Pal, Advocate

-versus-

State of Odisha and Others

.... Opp. Parties

Mr. L. Samantaray, AGA

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. RAMAN

ORDER (Oral)

11.08.2022

Order No.

04. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).

2. On the date of hearing on 10th May, 2022, the following order was passed:

"1. This matter is taken up by virtual/physical mode.

2. Before we proceed further, we direct Mr. Rath, ASC to seek instruction from Opposite Party No.2 as to why no decision has been taken with regard to the third interim deviation report dated 23rd July, 2021 before proceeding to prepare the final bill of the contractor.

3. Simultaneously, counsel for the Petitioner is also directed to show the violation of any provision of the OPWD Code or any other condition of tender notice, which postulates such a recourse.

4. List on 23rd June, 2022."

3. In response, the State has filed an affidavit dated 20th June, 2022 of Shri Bijay Kumar Sethy, Superintending Engineer, Anandapur Canal Division, Salapada, District-Keonjhar.

4. At the time of resumed hearing, learned counsel for the petitioner prays for permission to withdraw the Writ Petition to enable the petitioner to file a fresh Writ Petition with better particulars.

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 In view of the above, the Writ Petition is disposed of as withdrawn with the aforesaid liberty.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

AKK

11th August, 2022
Cuttack

