

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2949 of 2015

Power Ware India (Pvt.) Ltd. and
Others

Petitioner

Mr. D.Panda, Advocate
Miss. A.Mehta, Advocate

-Versus-

State of Odisha & Others

.... Opposite Party

Mr. S.S. Mohapatra, ASC
Mr. S.Singh, Advocate and Ms.N.Roy, Advocate

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
23.11.2022

Order No.

08.

1. By order dated 16th November, 2022, this Court had directed the learned counsel for the petitioner to obtain instruction as to whether the matter is still pending in the court of learned JMFC, Bhubaneswar or not.
2. Miss Mehta, learned counsel for the petitioner submits that the petitioner could not be contacted and therefore, no instruction could be received and on such ground, prays for more time.
3. On the last occasion, Mr. S.Singh and Ms.N.Roy, learned counsel appearing for the opposite party informed to the Court that the proceeding in I.C.C. Case No.4221 of 2014 which was pending in the file of learned JMFC, Bhubaneswar was transferred to the court of learned Metropolitan Magistrate, 23rd Court, Esplanade, Mumbai by order dated 18th November, 2015.
4. Ms.N.Roy, learned counsel appearing for the opposite party is present today.
5. Since it is a matter of 2015 and despite an opportunity provided to the learned counsel for the petitioner, no instruction

could be obtained, the Court is of the view that no purpose would be served by keeping the matter alive. In other words, the CRLMC should be disposed of with liberty granted to the petitioner to revive it in the event any cause of action still survives.

6. Consequently, CRLMC stands disposed of with the liberty as above.

(R.K.Pattanaik)
Judge

