

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC NO. 3164 OF 2022

Sanjay Agarwal

....

Petitioner

Mr.Rabi Narayan Nayak, Advocate

-versus-

***Sisir Ratho, Principal Chief
Conservator of Forest and HoFF,
Odisha and another***

....

Opp. Parties

Mr. A.R. Dash,

Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

15.12.2022

Order No.

5.
 1. This matter is taken up through hybrid mode.
 2. This contempt petition has been filed alleging non-compliance of the order dated 1st February, 2022 passed in W.P.(C) No.39144 of 2021, wherein it is directed as under:
 - “1. This matter is taken up through video conference mode.
 2. For the nature of relief sought for and for pendency of the application at the instance of the Petitioner, vide Annexure-5 on the selfsame grounds, this Writ Petition is not entertainable at this stage and the same stands disposed of directing O.P. 2 to look into the request of the Petitioner, vide Annexure-5 and pass appropriate orders on the same taking into consideration the grounds raised in this Writ Petition so also the documents appended thereto and also taking into consideration the development through Annexures-3 and 4 appended herein within a period of two months from the date of communication of this order along with copy of the Writ Petition by the Petitioner. This Court has not expressed any opinion on merit of the case.”
 3. Since no decision with regard to grant of license was taken in respect of Saw Mill of the Petitioner as per the direction made in the aforesaid writ petition, this contempt petition has been filed.

Show cause affidavit filed by Opposite Party No.2 on 21st July, 2022 reveals that no decision could be taken for issuance of license in view of the fact that a study report on demand and supply of timber for establishment of wood based industries in the State of Odisha was awaited from the Xavier Institute of Management University, Bhubaneswar, which is engaged by the Principal Chief Conservator of Forests-cum-HoFF, Odisha, Bhubaneswar. However, the Opposite Party No. 1 in its show cause has stated that the study report is expected to be received within a period of two months, after which the matter will be placed before the State Level Committee for its decision.

4. Mr. Dash, learned Additional Government Advocate submits that in the meantime, the study report from the Xavier Institute of Management University, Bhubaneswar has already been received and the matter will be placed before the State Level Committee very soon. He further submits that a decision in that regard is likely to be taken by the State Level Committee within a period of two months.

5. In that view of the matter, the CONTC is disposed of with an expectation that a decision shall be taken by the State Level Committee within a period of two months and communication to that effect will be sent to the Petitioner forthwith.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks