

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9193 of 2015

***Oriental Security Service,
Bhubaneswar***

....

Petitioner

Mr. Sanatan Pani, Adv.

-versus-

***Mahanadi Coalfields Limited and
Ors.***

....

Opp. Parties

*Mr. B.N. Mohanty, Adv.
(for O.P. Nos.2 & 3)*

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

10.02.2022

Order No.

07.

1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the parties.
3. The petitioner has filed this writ petition seeking direction to the opposite parties for refund of EMD amount.
4. But on perusal of Annexure-5, it is found that the petitioner, having participated in the process of auction, has withdrawn itself from the process of auction, after the last date of submission of bid. Therefore, in view of NIT Clause No.30, the EMD has been forfeited.
5. This Court when called upon the learned counsel for the petitioner to show the provision under which the petitioner is entitled to get refund of the EMD amount, he is unable to show

such provision. Hence, we find no illegality or irregularity in forfeiting the EMD itself.

6. Accordingly, this writ petition stands dismissed.

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

(Dr. B.R. Sarangi)
Judge

(S.K. Panigrahi)
Judge

BJ

