

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WP(C) No.12423 of 2019**

(Through Hybrid mode)

***M/s. DLF Ltd..and another***

....

***Petitioners***

Mr. Pinaki Mishra, Senior Advocate

Mr. Aditya N. Das, Advocate

*-Versus-*

***State of Odisha and others***

....

***Opposite Parties***

Mr. Ashok Kumar Parija, Advocate General

Mr. A. K. Sharma, Addl. Govt. Advocate

(for O.P. nos.1, 2 and 3)

Mr. P. K. Mohanty, Senior Advocate

(for O.P. nos.4 and 5)

**CORAM:**

**JUSTICE ARINDAM SINHA**

**JUSTICE SANJAY KUMAR MISHRA**

**ORDER**

**23.11.2022**

**Order No.**

11. 1. Mr. Mishra, learned senior advocate appears on behalf of petitioners and submits, impugned is order of cancellation dated 10<sup>th</sup> July, 2019. By it was cancellation of lease-cum-development agreement dated 10<sup>th</sup> July, 2007 between Odisha Industrial Infrastructure Development Corporation (OIIDC) and his client. Without prejudice he submits, there are other points of challenge to impugned order.
2. Mr. Parija, learned senior advocate, Advocate General appears on behalf of opposite party nos.1, 2 and 3 and submits in fairness, in view of allegations of violation of principles of

natural justice the matter be remitted for hearing and adjudication by opposite party no.5. Mr. Mohanty, learned senior advocate appears on behalf of opposite party nos.4 and 5 and adopts submission made by Mr. Parija.

3. Impugned order is set aside and quashed. The matter is restored to opposite party no.5, for consideration and decision. Mr. Parija submits, date be fixed for appearance by petitioners before the authority. Mr. Mishra submits, any date can be fixed.

4. Petitioners or their representatives will present themselves before opposite party no.5 on 14<sup>th</sup> December, 2022 at 3.00 P.M. It goes without saying that the authority, if necessary, may require further hearing. It is expected that a decision will be taken thereupon and informed to petitioners by three weeks thereafter.

5. The interim order of status quo will continue till two weeks after petitioners have been informed of the decision. It is made clear that we have not gone into merits of the controversy. Hence, petitioners must be ready to present their case before the authority on the appointed date and time.

6. The writ petition is disposed of.

***(Arindam Sinha)***  
***Judge***

***(S. K. Mishra)***  
***Judge***