

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P(C) No. 17649 of 2020

Birat Chandra Dagara

....

Petitioner

Mr. Banshidhar Baug, Advocate

-versus-

State of Odisha & others

....

Opposite Parties

Mr. S.P. Mishra, Sr.Advocate

(for Opp.Party No.4)

Mr. L. Samantaray, AGA

(for Opp.party Nos. 1 to 3)

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)

16.02.2022

Order No.

- 15.**
1. This matter is taken up by virtual/physical mode.
 2. The Petitioner was operating a mining lease for Iron Ore at Suleipat in the district of Mayurbhanj with effect from April, 2010 through the raising contractor, M/s. Orissa Manganese & Minerals Ltd.- Opposite Party No. 4. Due to dispute between the two, arbitration clause was invoked leading up to an award by way of amicable settlement.
 3. Due to non-adherence to the agreed terms, both the Petitioner and Opposite Party No.4 filed their respective execution applications

P.T.O.

before the Learned District Judge, Mayurbhanj- Baripada. Learned District Judge, Mayurbhanj-Baripada passed an order dated 21st July 2020 in the execution filed by Opposite Party No. 4, which is a subject matter of challenge by the Petitioner in the present writ application. Further, challenge has been laid to the order dated 23rd July, 2020 passed by the Mining Officer, Baripada Circle, Baripada, whereby the Petitioner-Birat Chandra Dagara was restrained from dispatching of Iron Ore temporarily and maintained the present position till the dispute between the parties was resolved.

4. After issue of notice and filing of respective counters, now memo has been filed, whereby the Petitioner has prayed for an unconditional withdrawal of the writ petition.

Learned counsel for the Petitioner thus prays to withdraw the writ petition.

5. Accordingly the writ petition is dismissed as withdrawn.

Issue urgent certified copy as per rules.

(Jaswant Singh)
Judge

(M.S.Raman)
Judge