

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 19652 of 2021

Binod Kumar Jaiswal

.....

Petitioner

Ms. D. Mahapatra, Advocate

Vs.

State of Odisha & Others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE V. NARASINGH

ORDER

16.02.2022

I.A. No.2046 of 2022

Order No.

2

This matter is taken up through hybrid mode.

2. This application has been filed the petitioner seeking direction to the opposite parties to settle the sand sairat in question in his favour without going for fresh tender.

3. Ms. D. Mahapatra, learned counsel for the petitioner states that the petitioner has filed the writ petition challenging the tender notice and this Court vide order dated 08.07.2021 while issuing notice directed the concerned authority to proceed with the fresh auction, but the same shall subject to the outcome of the writ petition. It is further contended that after interim order was passed, second tender was issued and the same could not finalise and thereafter third tender call notice was issued, but the petitioner has challenged the auction of the first tender. Consequentially, the petitioner does not want to press this application.

4. Accordingly, I.A. stands dismissed.

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(DR. B.R. SARANGI)
JUDGE

.....
(V. NARASINGH)
JUDGE

W.P.(C) No. 19652 of 2021

3 Heard Ms. D. Mahapatra, learned counsel for the petitioner.

2. The petitioner has filed this writ petition challenging the order passed by the Collector, Deogarh in a tender matter. In view of Rule-46 (1) of the Odisha Minor Mineral Concession Rules, 2016, against the order passed by the Collector, appeal lies with Revenue Divisional Commissioner.

3. Therefore, this Court is not inclined to entertain this writ petition. However, liberty is granted to the petitioner to file appeal before the Revenue Divisional Commissioner, if he is so advised.

4. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

(V. NARASINGH)
JUDGE

