

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14081 of 2018

Jamesh Kumar Rout

....

Petitioner

Mr. Lalitendu Mishra, Advocate

-versus-

State of Odisha and Others

....

Opposite Parties

Mr. Ishwar Mohanty, Addl. Standing Counsel

CORAM:

THE CHIEF JUSTICE

JUSTICE M.S. RAMAN

ORDER

28.11.2022

Order No.

22. 1. In an order dated 12th March, 2021 in Special Leave to Appeal (C) No.4127 of 2021 (*Mehra Bal Chikitsalaya Evam Navjat Shisu I.C.U. v. Manoj Upadhyay*) the Supreme Court has reaffirmed the view expressed in *Cicily Kallarackal v. Vehicle Factory (2012) 8 SCC 524* holding that a writ petition would not be maintainable against the final order of the State Consumer Disputes Redressal Commission.

2. In that view of the matter, learned counsel for the Petitioner seeks leave to withdraw the present writ petition with liberty to file an appeal before the National Consumer Disputes Redressal Commission (NCDRC) in accordance with law. If such appeal is filed not later than 2nd January, 2023 accompanied by an application for condonation of delay explaining the delay on account of pendency of the writ petition, it will be examined on its merits by the NCDRC.

3. The Court clarifies that it has not expressed any view on the matter.

4. The writ petition is disposed of as withdrawn with liberty as aforesaid. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(M.S. Raman)
Judge

S.K. Jena/Secy.

