

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.17037 of 2022

***M/s. Hindustan Builders,
Bhubaneswar***

.....

Petitioner

Mr. S.K. Dalai. Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. P.P. Mohanty, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE G. SATAPATHY

ORDER

12.10.2022

Order No.
08.

This matter is taken up through hybrid mode.

2. Heard Mr. S.K. Dalai, learned counsel for the petitioner and Mr. P.P. Mohanty, learned Additional Government Advocate for the State-opposite parties.

3. The petitioner has filed this writ petition seeking to quash the orders dated 02.07.2022 and 05.07.2022 under Annexure-20 and 21 in respect of the work “Construction of HL bridge over river Rushikulya at 0.500 km on NH-59 to Nuagaon via-Kesara in the district of Ganjam under BSY” and further to allow the petitioner to complete the work in providing approved plan and in extending further EOT as per the terms of contract to secure ends of justice.

4. Mr. S.K. Dalai, learned counsel for the petitioner contended that the petitioner has undertaken the work, but at the fag end of the work the decision was taken for closer of the work, which is in gross violation of principles of natural justice.

5. Mr. P.P. Mohanty, learned Additional Government Advocate appearing for the State-opposite parties contended that

as a matter of principle the Government of Odisha, Department of Rural Development has issued an office order on 22.09.2022 by constituting a committee which is in seisin of the matter and the said committee will take a decision with regard to such type of cases.

6. Having heard learned counsel for the parties and after going through the record, this Court, without expressing any opinion on the merits of the case, disposes of the writ petition with a direction to the petitioner to file a fresh representation before the Committee agitating his grievances, as have been agitated in this writ petition, within a period of seven days. In the event the petitioner files a fresh representation, the Committee shall consider and dispose of the same by passing an appropriate order in accordance with law, after giving opportunity of hearing to the petitioner, as early as possible, preferably within a period of four weeks from the date of communication of the order. Needless to say, at the time of hearing, the Committee shall take up the matter on day to day basis so that the work will not hamper and it will be completed the work within the time granted.

7. With the above observation & direction, the writ petition stands disposed of.

8. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Ashok/Kishore

(G. SATAPATHY)
JUDGE