

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

**CONTC No.3669 of 2020**

***B K D Infrastructure Pvt.  
Ltd., Sambalpur***

....

***Petitioner***

Mr. Prabodha Chandra Nayak, Advocate

*-versus-*

***Dr. Krishna Kumar,  
Principal Secretary, Works  
Department,  
Bhubaneswar, District-  
Khurda & Others***

....

***Contemnors/Opp.Parties***

Mr. L. Samantaray, AGA

**CORAM:  
JUSTICE JASWANT SINGH  
JUSTICE M. S. RAMAN**

**ORDER (Oral)  
12.10.2022**

**Order No.**

**02.**

This matter is taken up through virtual/physical mode.

1. Mr. Samantaray at the outset points out that the directions passed by this Court on 16.07.2019 in W.P.(C) No.10138 of 2019 in respect of entitlement of refund of excess royalty claimed from the petitioner stands decided with the reasons and duly intimated to the petitioner vide Memo No.4594 dated 17.12.2020 by the Office of the Executive Engineer, Balangir (R&B) Division. He thus submits that the present contempt has become infructuous and the petitioner if at all is aggrieved against the said order declining the relief, has a separate remedy.

2. Mr. Nayak in the light of above admits that nothing more survives in the present contempt.

3. In view of the above, the CONTC is dismissed as infructuous.

**(Jaswant Singh)**  
**Judge**

**(M. S. Raman)**  
**Judge**

AKK

12<sup>th</sup> October, 2022  
Cuttack

