

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 19846 of 2022

PMR Steels, Sundargarh

.....

Petitioner

Mr. U.K. Samal, Advocate

Vs.

***Indian Railways, New Delhi &
Ors.***

.....

Opposite Parties

Mr. D. Gochhayat, CGC

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE SANJAY KUMAR MISHRA

ORDER

11.08.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. U.K. Samal, learned counsel for the Petitioner and Mr. D. Gochhayat, learned Central Government Counsel.

3. The Petitioner has filed this Writ Petition seeking direction to quash the letter dated 31.03.2022 under Annexure-8 and to direct the Opposite Parties to refund the amount of Rs.10,17,000/-which has been deducted from the purchase account of the Petitioner with interest and to adjust the said amount in the future tender/auction or to sold the unserviceable scraps by treating the bid of the Petitioner of Rs.45,000/-per metric tons basis.

4. In course of hearing, learned counsel for the Petitioner states that highlighting the grievances, the Petitioner has made a representation to Opposite Party No.1 vide Annexure-11 and the same may be directed to be considered taking into consideration Annexure-14 and the judgment of the Delhi High Court in the case of

M/s Supreme Infrastructure India v. Rail Vikash Nigam Limited (W.P.(C) No. 3817 of 2012 decided on 12.12.2012), within a stipulated time, to which learned Central Government Counsel has no objection.

5. As agreed to by learned counsel for the parties, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing opposite party No.1 to consider the representation filed by the Petitioner vide Annexure-11, taking into consideration Annexure-14 and the judgment of the Delhi High Court in the case of *M/s Supreme Infrastructure India v. Rail Vikash Nigam Limited* (W.P.(C) No. 3817 of 2012 decided on 12.12.2012), and pass appropriate order in accordance with law within a period of three months from the date of production of certified copy this order, after giving opportunity of hearing to the Petitioner.

6. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Arun/Banita

(S.K. MISHRA)
JUDGE