

IN THE HIGH COURT OF ORISSA AT CUTTACK

RVWPET No.189 of 2022

Binamra Parida

Petitioner

....
Mr. B. S. Tripathy (1), Advocate

-versus-

***Odisha Mining Corporation Limited,
Bhubaneswar***

Opposite Party

None

CORAM:

THE CHIEF JUSTICE

JUSTICE A. K. MOHAPATRA

ORDER

26.08.2022

Order No.

01. 1. Enclosed with the review petition is the order dated 29th July, 2022 passed by the Supreme Court of India in Special Leave Petition (C) No.12740 of 2022, which reads as under:

“We have heard learned counsel appearing on behalf of the petitioner.

Against the relied upon judgment, Civil Appeal No.4103/2022 has been allowed and the judgment and order passed by the High Court has been set aside. The said decision is reported in JT 2022 (5) SC 464. In that view of the matter, instead of entertaining the present Special Leave Petition and remanding the matter to the High Court, we permit the petitioner to file a review application before the High Court pointing out that the SLP/Appeal against the relied upon judgment has been allowed and the relied upon judgment has been set aside. If such a review application is preferred within a period of four weeks from today, we request the High Court to consider the subsequent decision against the relied upon judgment and pass appropriate order considering our subsequent judgment and order passed in Civil Appeal No.4103 of 2022 at the earliest and preferably

within a period of two months from the date of filing of such an application.

With this, the Special Leave Petition stands disposed of.

It goes without saying that if the petitioner is aggrieved by the decision in review application, it will be open for the petitioner to challenge the same and even the present order, by filing a fresh Special Leave Petition.

Pending application(s), if any, shall stand disposed of.”

2. In view of the aforementioned order of the Supreme Court, the order dated 13th December, 2021 of this Court passed in W.A. No.808 of 2021 is hereby recalled and the said appeal is restored to its original file.

3. The review petition is accordingly disposed of.

(Dr. S. Muralidhar)
Chief Justice

(A. K. Mohapatra)
Judge

M. Panda