

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.18352 of 2019

Jyoshna Rani Mishra* *Petitioner

*Mr. S.N. Biswal,
Advocate*

-versus-

State of Odisha & others* *Opp. Parties

*Mr. D.K. Mohanty,
Additional Standing Counsel*

*Mr. S.K. Mishra, Advocate
(For opposite party Nos.2 & 3)*

*Mr. G.P. Dutta, Advocate
(For opposite party No.6)*

**CORAM:
JUSTICE BISWAJIT MOHANTY**

ORDER

13.10.2022

Order No.

- 13.
1. Heard Mr. S.N. Biswal, learned counsel for the petitioner, Mr. D.K. Mohanty, learned Additional Standing Counsel on behalf of opposite party Nos.1, 4 & 7 and Ms. B.S. Sahoo, learned counsel on behalf of Mr. S.K. Mishra, learned counsel for the opposite party Nos.2 & 3. None appears for opposite party No.6.
 2. Ms. Sahoo submits that in the meantime, on 26.04.2022 the following Resolution at Item No.,198/14 to which the Managing Director of Orissa State Civil Supplies Corporation Ltd. (opposite party No.2) is a party, has been passed by the Odisha State Civil Supplies Corporation Ltd. and accordingly, the pre impugned order position of the petitioner has been restored.

Item No.198/14 reads as follows:

“Item No.198/14: Handling operation at PEG godown constructed under Public Private Partnership (PPP) Mode:-

The agenda item was apprised to the Board of Directors. The Manager (Law) apprised the legal issues as well as the litigation associated in regards to the discontinuance of all the PEG Godown owners from doing handling work inside the godown premise and handed over to the district handling contractor.

It was decided that all the PEG owners including private godown owners will be allowed to do the handling work inside their respective godowns through an Administrative instruction. That instruction should further stipulate that each of the godown owners shall give an affidavit that, the Corporation is at liberty to take any stringent action which includes but not limited to cancellation of the lease agreement against the lessor/godown owner in case of a single complaint with documentary evidence is received of misappropriation/manipulation of accounts/mishandling of stocks/raising handling bills without actual movement.”

3. Considering the submissions made and in view of the above development, this writ application has become infructuous and is accordingly disposed of.

4. Urgent certified copy of this order be granted on proper application.

Prasant

(Biswajit Mohanty)
Judge