

IN THE HIGH COURT OF ORISSA AT CUTTACK

RVWPET No. 226 of 2022

***Mahanadi Coalfields Ltd. and
another***

.....

Petitioners

Mr. S.D. Das, Sr. Advocate

Vs.

***M/s. Shreejikrupa Project Ltd
and another***

.....

Opposite Parties

CORAM:

DR. JUSTICE B.R. SARANGI

Mr. JUSTICE G. SATAPATHY

ORDER

04.11.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. This review petition has been filed seeking review of the order dated 23.08.2022 passed in W.P.(C) No. 5946 of 2019, by which this Court directed the opposite parties therein to refund the EMD amount to the petitioners-company as expeditiously as possible, preferably within a period of three weeks from that date.

3. Mr. S.D. Das, learned Senior Advocate appearing for the review petitioners contended that it was not pointed out before this Court with regard to the fact that the present opposite parties were not willing to work and, as such, they were not entitled to get refund of the EMD amount. According to him, as that mistake was committed by the review petitioners, the order was passed directing them to refund the EMD amount.

4. Having heard Mr. S.D. Das, learned Senior Advocate

appearing for the review petitioners and after going through the order sought to be reviewed, this Court finds that taking into consideration the conditions stipulated in the additional affidavit filed by the present petitioners on 24.07.2022 in compliance of the order dated 19.07.2022, direction was issued to the Review Petitioners to refund the EMD amount to the present opposite parties. Thus, this Court does not find any reason to review the order dated 23.08.2022 passed in W.P.(C) No. 5946 of 2019 as the ingredients of the Rule 1 of Order 47 CPC have not been complied with.

5. Accordingly, the Review Petition merits no consideration and the same stands dismissed.

Arun

