

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 25824 of 2022

M/s. C.P. Mohanty

.....

Petitioner

Mr. S.K. Dalai, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. P.P. Mohanty, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE G. SATAPATHY

ORDER

29.09.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. S.K. Dalai, learned counsel for the petitioner and Mr. P.P. Mohanty, learned Additional Government Advocate for the State.

3. The petitioner has filed this writ petition seeking to quash the order of recommendation dated 02.08.2022 under Annexure-7 in declaring the same as illegal, arbitrary, malafide and contrary to the terms of agreement and violation of Rule-51 of the Orissa Minor Mineral Concession Rules, 2016 and to direct the Tahasildar, Balipatna to release the vehicle in question.

4. In course of hearing, learned counsel for the petitioner states that the petitioner has already made representation before the Opposite Party no.6 vide Annexure-8 and the same may be directed to be disposed of within a stipulated time taking into consideration the order of this Court in the case of *Dillip Khuntia and another v.*

The Collector, Bhadrak and others, (W.P.(C) No. 12066 of 2018 disposed of on 25.03.2021), to which learned State Counsel has raised no objection.

4. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party no.6 to consider the representation filed by the petitioner vide Annexure-8, taking into consideration the judgment of this Court in the case of *Dillip Khuntia and another v. The Collector, Bhadrak and others*, (W.P.(C) No. 12066 of 2018 disposed of on 25.03.2021) and pass appropriate order in accordance with law within a period of three months from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(G. SATAPATHY)
JUDGE

Arun/Kishore