

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27421 of 2022

Alok Sahoo

....

Petitioner

Mr. A.K.Patra, Advocate

-versus-

State of Orissa & others

....

Opp.parties

Mr. P.K. Muduli, AGA

**CORAM:
JUSTICE S. TALAPATRA
JUSTICE M.S.SAHOO**

ORDER

Order No.

21.10.2022

1. 1. This matter is taken up through hybrid mode.
2. Heard Mr. A.K. Patra, learned counsel appearing for the petitioner.
3. Mr. A.K. Patra, learned counsel for the petitioner undertakes to remove the defect in the course of the day. On such assurance, we have taken up the matter for consideration.
4. A short question that arises for consideration in this writ petition is that the petitioner had applied for settlement of a new IMFL Restaurant ON Shop (Without Lodging) license in the name and style of *Hotel Orange Village & Restaurant*, situated within Kishannagar Police Station, for the year 2022-23 under Rule 51 of the Odisha Excise Rules, 2017.
5. The petitioner has been recommended by the Collector, Cuttack vide his letter no.4264/Ex, dated 14.07.2022 (Annexure-5 to the writ petition), but the Commissioner of Excise, Government of Odisha has

not taken any decision as yet. Even though from the communication dated 22.07.2022 (Annexure-6 to the writ petition) and the communication dated 25.08.2022 (Annexure-7 to the writ petition), it appears that the joint enquiry as directed through the Tahasildar, Kishannagar is complete.

6. Mr. P.K.Muduli, learned Additional Government Advocate in his usual fairness has submitted that the opposite party no.2 be directed to take a decision on the application of the petitioner for settlement of IMFL outlet (Annexure-1 to the writ petition) by setting up a time frame.

7. Having taken cognizance of that statement, as made by Mr. P.K.Muduli, learned Addl. Government Advocate, this writ petition stands disposed of with the following direction :

- (i) The opposite party no.2 is hereby directed to take the final call on the application of the petitioner (Annexure-1 to the writ petition) for granting the license for new IMFL Restaurant ON Shop (without lodging) license in the name and style of *Hotel Orange Village & Restaurant*, for the year 2022-23 under Rule-51 of Orissa Excise Rules,2017.
- (ii) Such decision as per direction above, shall be taken within thirty days from date when the

petitioner will produce a copy of this order before the Commissioner of Excise, Odisha, Cuttack. Such decision shall be communicated to the petitioner without delay.

8. There shall be no order as to costs.

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

(S. Talapatra)
Judge

(M.S. Sahoo)
Judge

Gs/Radha

