

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28449 of 2022

Prafulla Kumar Mohanty

....

Petitioner(s)

Mr. S. Dwibedi,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr. S. Ghose,
Addl. Govt. Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
16.11.2022**

Order No.

01.

1.

This Writ Petition involves the following prayer:-

“In the facts and under the circumstances stated above, the Hon’ble Court would graciously be pleased to admit the writ application and after hearing the parties issue Rule NISI calling upon the Opp. Parties to show cause as to why the petitioner shall not be granted full benefit of escalation clause provided in the Agreement with respect to price escalation arising out of the Agreement under **Annexure-1**; and if the opp. Parties fail to show cause or show insufficient causes, then to make the said Rule absolute by issuing appropriate writ / writs, direction / directions, order/orders.

And as pass such order/orders, direction/directions as this Hon’ble Court deems fit and proper in the facts and circumstances of the case.”

2. Considering the innocuous prayer and as there is requirement of taking a lawful decision on the request of the Petitioner vide Annexure-5, this Court in disposal of the Writ

Petition directs the Superintending Engineer, Mahanadi North Division, Jagatpur, Cuttack-Opposite Party No.4 to look into the request of the Petitioner and take a lawful decision on the same, by completing the entire exercise within a period of one & half months from the date of communication of a certified copy of this order by the Petitioner.

3. The Writ Petition stands disposed of with the above order.

(Biswanath Rath)
Judge

Ayaskanta Jena

