

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 27036 of 2019

M/s. ITAS G. PHARMA

.....

Petitioner

Mr. M.Kanungo, Senior Advocate

Vs.

State of Odisha & others

.....

Opposite Parties

Mr.P.K.Muduli, Adv.

(for O.P. Nos. 2, 3 and 4)

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE G. SATAPATHY

ORDER

19.10.2022

Order No.

05.

This matter is taken up through hybrid mode.

2. The petitioner in this writ petition challenges the forfeiture of the EMD deposited pursuant to e-auction notice.
3. Mr. P.K.Muduli, learned counsel for opposite parties no.2 to 4 contended that since there is availability of arbitration clause, the petitioner may pursue its remedy in terms of the said clause.
4. Since the petitioner challenges the forfeiture of EMD, it is open to the petitioner to pursue its remedy before the appropriate authority in terms of the arbitration clause and the same shall be considered by the authority without being influenced by any order passed by this Court.
5. With the aforesaid liberty, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

(G. SATAPATHY)
JUDGE

Ashok/Kishore