

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 36265 of 2021

M/s Konark Ceramics Pvt. Ltd., ***Petitioner***
Mr. Ajay Kumar Ray, Advocate

-versus-

The Government of Odisha & ***Opposite Parties***
Others

Mr. Anupam Rath, ASC (Opposite Party No.1 &2) and
Mr. Amitav Das, Advocate with Ms. Mitali Madhusmita
Mohanty, Advocate (Opposite Party No.3)

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)

11.05.2022

Order No.

- 02.** **1.** This matter is taken up by virtual/physical mode.
- 2.** The Petitioner, a Private Limited Company, represented through its Managing Director, approached this Court with a prayer to issue writ of mandamus to the Opposite Parties to issue “No Dues Certificate” (NDC).
- 3.** Being unable to achieve optimum production capacity and facing market constraints, the Petitioner failed to repay loan and interest. However, the Opposite Party No.3 i.e., Odisha State Financial Corporation had made recovery of an amount of Rs.4,40,000/- by encashing the State Government guarantee, but for recovery of an amount of Rs.5,15,314.56, the Opposite Party No.2 (the Director of Industries, MSME Department) filed certificate

case before the Certificate Officer, Sadar, Cuttack. It is stated by the Petitioner in the writ petition that entire loan liability along with interest has been recovered through State Government guarantee against the Petitioner and, therefore, it is entitled to “No Due Certificate”

4. When the matter is taken up today for hearing, Mr. Ajay Kumar Ray, counsel for the Petitioner brought to the notice of the Court that a memo dated 9th May, 2022 has been filed stating therein that the Petitioner does not want to press the writ petition.

5. Ms. Mitali Madhusmita Mohanty, on behalf of Mr. Amitav Das, counsel for the Opposite Party No.3 (Odisha State Financial Corporation) has raised no objection.

6. Accordingly, the writ petition stands dismissed as not pressed.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge