

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.32895 of 2022

Babaji Kabi

.....

Petitioner

Mr. S.C. Puspalka, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite Parties

Mr. P.P. Mohanty, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

09.12.2022

Order No.

1

This matter is taken up through hybrid mode.

2. Heard Mr. S.C. Puspalka, learned counsel appearing for the petitioner and Mr. P.P. Mohanty, learned Additional Government Advocate appearing for the State-opposite parties.

3. The petitioner claims for refund of amount, which was deposited by him towards operation of the quarry, because of non-availability of sand in the quarry, which was found to be correct in the enquiry conducted by the competent authority. Though the Tahasildar, Jajpur has assessed Rs.18,70,981/- to be the entitlement of the petitioner, but the petitioner claims for Rs.23,00,000/-. Therefore, there is dispute with regard to quantum of amount.

4. In course of hearing, learned counsel for the petitioner states that the petitioner may be permitted to pursue his remedy before the appropriate authority.

5. In view of the above, the petitioner is permitted to file a fresh representation before the authority. In the event the petitioner files a fresh representation within two weeks from today, the Tahasildar, Jajpur shall consider and pass appropriate order within

a period of six weeks thereafter.

6. With the above observation and direction, the writ petition stands disposed of.

7. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Alok

(B. P. SATAPATHY)
JUDGE

