

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.33676 of 2022

**D.B. Power Ltd.,
Maharashtra**

.....

Petitioner

Mr. A. Satpathy, Advocate

Vs.

State of Odisha & Another

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

15.12.2022

Order

No.

1.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.

3. The present Writ Petition has been filed with the following prayer:-

“In view of the aforementioned facts and submissions, it is most respectfully & humbly prayed that this Hon’ble Court may be pleased to

A. Issue a writ of mandamus or such other appropriate writ directing respondent to grant adjustment of the amount of Rs.75,00,426/- collected by it from the Petitioner towards contribution to the District Mineral Foundation for the period prior to 20.10.2015, in terms of the judgment of the Hon’ble Supreme Court dated 13.10.2017 in the matter of ‘Federation of Indian Mineral Industries & Others vs. Union of India & Another’ along with interest.

B. Pass such other further orders, as this Hon’ble Court may deem fit and proper, in the facts and circumstances of the present case as also in the interest of justice.”

4. In course of hearing, learned counsel for the Petitioner states that highlighting his grievances, the Petitioner has made a representation to Opposite Party No.2 vide Annexure-5 and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.2 to consider the representation filed by the petitioner vide Annexure-5 and also taking into account Annexure-2 and pass appropriate order in accordance with law within a period of four weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE



Sangita