

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 39463 of 2021

Dasarath Das

..... Petitioner

Mr. Bijay Jena, Advocate

-versus-

State of Odisha & others

..... Opp. Parties

Mr. M.K. Khuntia, AGA for State

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M. S. SAHOO**

ORDER

21.01.2022

Order No.

- 01.**
- 1.** The matter is taken up through virtual mode.
 - 2.** The petitioner in the writ petition who has stated to be operating a Mess providing food to the boarders of Prabhabati Devi Ladies Hostel, Sambalpur University challenges the letter dated 01.12.2021 issued by the Superintendent of said Hostel (Annexure-1) for cessation of the work of the petitioner.
 - 3.** The petitioner does not rely upon any express contract between the petitioner and the University-authority as pleaded in the writ petition. On a specific query to the learned counsel for the petitioner as to whether there is any contract in favour of the petitioner to undertake such activity, he fairly submits that there is no such contract.
 - 4.** It is submitted by the learned counsel for the petitioner that Section 7(2)(d) of the Orissa University Act, 1989 provides that "*the Registrar shall, subject to the control of the Vice-Chancellor, sign all contracts made on behalf of the University*".

5. It is further contended by the learned counsel for the petitioner that since the Registrar is to sign all contracts made on behalf of the University, the letter issued by the Superintendent of the Ladies Hostel is non est in the eye of law.

5. Since the admitted case of the petitioner is that he never entered into any contract with the University, the contentions raised in the writ petition are misconceived, accordingly the same is dismissed.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

January 21st, 2022
Cuttack



RRJena