

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.40963 of 2021

Satish Chandra Pattanayak

..... Petitioner

Mr. K. Jena, Advocate

-versus-

State of Odisha and others

..... Opposite Parties

Mr. Debakanta Mohanty, AGA

**CORAM:
THE CHIEF JUSTICE
JUSTICE M. S. SAHOO**

**ORDER
27.01.2022**

Order No.

01. 1. This matter is taken up by video conferencing mode.
2. Learned counsel for the Petitioner seeks leave to withdraw the writ petition with liberty to challenge the impugned demand notice before the Appellate Authority by way of an appeal in terms of Rule 250 of the Odisha Excise Rules, 2017.
3. If such an appeal is filed not later than 21st February, 2022 accompanied by an application for condonation of delay, explaining the delay on account of pendency of the present writ petition, it will be considered in accordance with law by the Appellate Authority. The Court clarifies that it has not expressed any view in the matter.
4. The writ petition is disposed of as withdrawn in the above terms with the liberty as prayed for.

5. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. No.514 and 515 dated 7th January, 2022.

M. Panda



(Dr. S. Muralidhar)
Chief Justice

(M. S. Sahoo)
Judge