

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 40995 of 2021

Pradeep Kumar Dash

.....

Petitioner

Mr. S. Pattanaik, Advocate

Vs.

State of Odisha and another

.....

Opposite party

Mr. J.P. Patnaik, Govt. Advocate

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

10.01.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. S. Pattanaik, learned counsel for the petitioner and Mr. J.P. Patnaik, learned Government Advocate for the State.

3. The petitioner has filed this writ petition assailing the letter dated 06.12.2021 under Annexure-3 issued by opposite party no.2-Tahasildar, Remuna, Balasore, by which the petitioner has been directed to deposit the amount of Rs.1,47,39,600/- as per calculation made in the shape of Demand Draft in favour of Tahasildar, Remuna/RTGS or Bank Transfer within seven days for the date of issuance of the letter, failing which the petitioner shall be revoked as successful bidder and further process will be taken as per rules.

4. Since the letter was issued on 06.12.2021, seven days period has already expired. Therefore, this Court is not inclined to entertain this writ petition.

5. At this stage, learned counsel for the petitioner brings notice of this Court to Annexure-2 dated 22.11.2021, wherein it is stated that the mining plan for the lease has been obtained and environment clearance is yet to be received and under N.B. at Sl. No.2, it is stated that deposit will be received soon after acceptance of environment clearance, and stated that till date environment clearance has not been received by the petitioner, which has caused prejudice to him, for which, the petitioner has

approached opposite party no.2 by filing representation dated 18.12.2021 under Annexure-4, which is still pending for consideration.

6. In view of such position, as agreed to by learned counsel for both the parties, 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-4 and pass appropriate order in accordance with law as expeditiously as possible, preferably within a period of fifteen days from the date of communication/production of the authenticated copy of this order.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out 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, as modified by Court's notice no. 4798 dated 15th April, 2021.

(DR. B.R. SARANGI)
JUDGE

(S.K. PANIGRAHI)
JUDGE

Alok