

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 41259 of 2021

Prabin Kumar

.....

Petitioner

Mr. S. Dash, Adv.

Vs.

State of Odisha and others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. MISHRA

ORDER

02.09.2022

I.A. No. 10914 of 2022

Order No.

04.

This matter is taken up through hybrid mode.

2. This application has been filed by the petitioner seeking extension of the period stipulated in the order dated 22.07.2022 till imposition of stamp duty on the agreement to be executed after deposit is clarified by the opposite party no.3.

3. Mr. S. Dash, learned Counsel for the Petitioner contended that since the Opposite Parties were willing to allow the Petitioner to operate the quarry in the event of deposit of the balance amount of Rs.50,36,100/- within a period of one month, vide Order dated 22.07.2022, this Court had disposed of the writ petition, with an observation that in the event the Petitioner deposits the said amount within a period of one month, he shall be allowed to operate the quarry pursuant to the notice inviting tender under Annexure-1 dated 10.06.2020 immediately on acceptance of the amount itself. It was also made clear that in the event the Petitioner failed to deposit the amount, it would be open to the Opposite Parties to proceed further pursuant to the notice dated 15.12.2021 under Annexure-4 in accordance with law. Now, the present application has been filed seeking extension of the stipulated period of the order dated

22.07.2022 till imposition of stamp duty on the agreement to be executed after deposit is clarified by the opposite party no.3.

4. This Court is not inclined to entertain this application by granting extension of time and also entertaining the application into that arena at this stage, save and except directing the petitioner to comply the order dated 22.07.2022. But, however, time is extended till 12.09.2022 to comply the order dated 22.07.2022. In the event the petitioner fails to comply the order dated 22.07.2022, it is open to the Opposite Parties to proceed against the petitioner pursuant to the direction given in the order dated 22.07.2022.

5. I.A. stands disposed of.

(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE

Ashok/Ananta

