

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 41709 of 2021

Bijayananda Sori

.....

Petitioner

Mr. M. Pratap, Adv.

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. S. Jena, Standing Counsel, S&ME

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

03.01.2023

I.A. No. 18006 of 2022

Order No.

13.

This matter is taken up through hybrid mode.

2. This application has been filed seeking following reliefs:-

“It is therefore prayed before the Hon’ble Court to allow the Misc. Case,

And

Further be pleased to modify the order no.10 dated 14.11.2022 passed in W.P.(C) No. 41709 of 2021 regarding cost of Rs.10,000/- to be deposited by the petitioner in the Bar Association, Orissa High Court, Cuttack

And

Further be pleased to review/recall the order no.10 dated 14.11.2022 passed in W.P.(C) No. 41709 of 2021 as it does not attract Sec.11 of the C.P.C. regarding the law of res judicata.

3. Mr. M. Pratap, learned counsel for the petitioner at the outset does not want to press the second prayer so far as it relates to review/recall the order dated 14.11.2022 passed in W.P.(C) No. 41709 of 2021. But so far as first prayer is concerned, it is stated that the cost imposed by this Court may be waived.

4. Mr. S. Jena, learned Standing Counsel appearing for the School and Mass Education Department contended that so far as waiving of imposition of cost is concerned, he has no objection.

But so far as second prayer is concerned, the same may not be acceded to.

5. Having heard learned counsel for the parties and after going through the records, since the petitioner does not want to press the second prayer of the application, so far as it relates to review/recall the order dated 14.11.2022 passed in W.P.(C) No. 41709 of 2021, , this Court is not inclined to recall/review the said order. So far as first prayer with regard to imposition of cost of Rs.10,000/- is concerned, considering the grounds taken in the application and after hearing learned counsel for the parties, the cost of Rs.10,000/-, as imposed by this Court, vide order dated 14.11.2022, is waived.

6. I.A. stands disposed of.

(DR. B.R. SARANGI)
JUDGE

Ashok

