IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 30943 of 2026
CNR No.ODHC010713432026

M/s. Biraja Construction, Jajpur .... ***Petitioner***
Mr. Pawan R. Upadhay, Advocate and
Mr. Soumik Spandan Tripathy, Advocate

-versus-

State of Odisha and others .... ***Opposite parties***
Mr. Debashis Tripathy, Additional Government Advocate

CORAM:
HON'BLE THE CHIEF JUSTICE
AND
HON'BLE MR JUSTICE CHITTARANJAN DASH

ORDER

Order No. **28.10.2026**

01. **1.** The instant writ petition is at the behest of a contractor seeking release and/or disbursement of the amount towards the Second Price Escalation in terms of the agreement dated 22nd November, 2019.

2. According to the petitioner, the said escalation bill was submitted with the authorities long back but till date, neither the amount has been released and/or disbursed nor is there any communication made by the authorities touching thereupon. According to him, it is strictly in accordance with the terms and conditions embodied in the said agreement and there is hardly any scope for denial of such right to get the amount on the escalation.

3. Mr. Debashis Tripathy, learned Additional Government Advocate appearing for the State-opposite parties submits that there is some discrepancies whether the said escalation bill has been countersigned by the respective authorities. However, he is not in a position to apprise the Court as to the fate of the said escalation bill submitted by the petitioner.

4. Be that as it may, once the bill has been raised and submitted with the authorities, it is unacceptable that the authorities will keep the same in suspended animation for all time to come. The authorities must take a decision thereupon and communicate such decision to the petitioner for future course of action.

5. Accordingly, we direct the authorities to consider the said escalation bill submitted to it and take a decision thereupon and, in the event, the petitioner is found legally entitled to the said amount, the disbursement would be made within three weeks from the date of the said decision.

6. The authorities are further directed to communicate the decision to the petitioner immediately upon taking the same and shall not encourage any delay in this regard.

7. With these observations, the instant writ petition is disposed of.

(Harish Tandon)
Chief Justice

(Chittaranjan Dash)
Judge

Sisira

Signature Not Verified
Digitally Signed
Signed by: SISIRA KUMAR BEHERA
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 30-Oct-2026 12:35:47