IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33755 of 2026

ODHC010796732026

Sanjoy Mahana .... ***Petitioner***

Mr. Rama Chandra Jena, Advocate

-versus-

State of Odisha and others .... ***Opp. Parties***

Ms. Suman Pattanayak, AGA

CORAM:
JUSTICE MRUGANKA SEKHAR SAHOO

ORDER
31.10.2026
(*Hybrid Mode*)

Order No.

01. **1**. Heard learned counsel for the petitioner.

2. The petitioner is before this Court challenging the order dated 21.08.2026 passed by the Collector & District Magistrate, Balasore in E.C. Case No.04 of 2026: Inspector of Supplies, Basta vs. Naba Kumar Mahana and others. The present petitioner is an inhabitant of village-Manurai, Dist-West Medinipur (West Bengal).

3. It is submitted that other two opposite parties who are parties in the proceeding before the Collector in the E.C. case have not challenged the order and the petitioner who claims to be 'owner of the paddy Godown' has challenged the order.

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4. By order dated 21.08.2026 the paddy has been confiscated to the State as per Section 6-A of the Essential Commodities Act,1955 for contravention of Clause 3(2) of the Odisha Rice & Procurement & Custom Milling of Rice Order, 2016. The copy of the notification dated 20th April, 2016: Food Supplies & Consumer Welfare Department, Government of Odisha is annexed. Paragraph 18 of the said Order, 2016 provides thus:

> *"18. Appeal: Any dealer or Miller or Custom Miller aggrieved by the order passed by the Collector or his authorized officer or any Enforcement Officer authorized under this Order, may prefer appeal to the Secretary for redressal."*

Section 6-C of the Essential Commodities Act, 1955 also provides for appeal.

5. Memo of date is filed by the learned counsel for the petitioner which status thus:

> *"The matter relates to Essential Commodities Act, where there is provision of Appeal, so it is prayed to withdraw the said writ petition to file Appeal before Appellate authority. This Hon'ble Court disposed off W.P.(C) No.34174/2026, in the case of Goura Krishna Pradhan on dtd.27.10.2026 and the similar order be passed in this case because the matter is similar in nature."*

The memo is taken on record. Scanned copy be updated.

6. It is submitted that the petitioner shall move the appropriate appellate authority within a period of 15 working days. If the appeal is filed within 15 working days along with certified copy of this order, the authority shall do well to consider the same in accordance with law and take a decision.

7. The writ petition is disposed of with the above observations.

(Mruganka Sekhar Sahoo)
Judge

Rajesh