
(2023) 07 OHC CK 0111
In the Orissa High Court
Case No : Writ Petition (C) No. 22899 Of 2022

M/s. Satyasai Construction, Jajpur

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 17-07-2023

Acts Referred:

Citation : (2023) 07 OHC CK 0111

Hon'ble Judges : Dr. B.R. Sarangi, J; Murahari Sri Raman, J

Bench : Division Bench

Advocate : K.K. Jena, P.P. Mohanty

Final Decision : Disposed Of

Judgement

1. This matter is taken up through hybrid mode.
2. Heard Mr. K.K. Jena, learned counsel for the petitioner and Mr. P.P. Mohanty, learned Additional Government Advocate for the State.
3. The petitioner has filed this writ petition seeking for quashing of the imposition and deduction of penalty in the final bill vide Annexure-7 and to direct the opposite parties to refund the said penalty of Rs.1,45,812/- to the petitioner within a stipulated period.
4. Learned counsel for the parties agreed that the issue involved in this writ petition has already been set at rest by the decision of this Court dated 08.04.2021 passed in W.P.(C) No. 14922 of 2019 (Radheshyam Agrawal v. State of Odisha and others), which was upheld by the apex Court in Civil Appeal No. 4934 of 2022.
5. In view of the above, this writ petition stands disposed of in terms of the order passed in the case of Radheshyam Agrawal (supra) by quashing the order under Annexure-7 and directing the opposite parties to refund the penalty deducted from the final bill of the petitioner within a period of two months from the date of receipt of the certified copy of the order.

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