
(2022) 08 OHC CK 0116
In the Orissa High Court
Case No : Writ Petition (C) No. 20179 Of 2022

Narayan Behera

APPELLANT

Vs

State Of Orissa And Others

RESPONDENT

Date of Decision : 12-08-2022

Acts Referred:

Drugs and Cosmetics Rules, 1945 — Rule 23, 59, 59(2), 75A, 76

Citation : (2022) 08 OHC CK 0116

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : Hrudananda Mohapatra, A.K. Sharma

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. Mr. Mohapatra, learned advocate appears on behalf of petitioner and submits, his client got a shop room counter from the Sub-Collector –cum- Convener Secretary, Swargadwar Seva Samity, Puri under agreement dated 10th May, 2021 upto 14th May, 2022. The agreement provided for extension. By letter dated 5th May, 2022 three months extension was granted.

2. He submits, now the Sub-Collector is seeking to evict his client and give the shop room to Odisha Rural Development and Marketing Society (ORMAS) even though rates of service provided by his client is less than those of ORMAS. He submits, unless protected, his client will be evicted over the long weekend Court holidays.

3. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State and submits, this Bench does not have assignment. Without prejudice he submits, the extension granted expired on 9th May, 2022. Mr. Mohapatra points out the extension was granted by agreement dated 10th May, 2022, also carrying extension clause-10 therein.

4. Court will consider on the question of assignment. Meanwhile as it has been averred by petitioner, supported by affidavit that he is charging less rate than ORMAS, Court has prima facie satisfaction to restrain opposite parties from evicting petitioner, till next date.

5. List on 24th August, 2022.

.....