

(2022) 08 OHC CK 0230

In the Orissa High Court

Case No : Writ Petition (C) No. 22195 Of 2022

Sourabha, N.G.O., Khurda

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 30-08-2022

Acts Referred:

Citation : (2022) 08 OHC CK 0230

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : Prafulla Kumar Rath, Bigyan Kumar Sharma, T. Pattanayak

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. Mr. Rath, learned advocate appears on behalf of petitioner, an NGO. He submits, by impugned order dated 23rd August, 2022 his organization has been disengaged with instruction to hand over all records etc. within seven days, i.e., by today. He refers to communication dated 4th April, 2018, to demonstrate that the agreement is valid up to 31st March, 2024, subject to satisfactory performance. He prays for interim protection.

2. Mr. Sharma, learned advocate appears on behalf of opposite party no.4 and submits, his client had lodged caveat. Service of the petition was made last evening. He prays for adjournment to allow him to consider the petition and thereupon take up the issue of interim order, if to be passed, as prayed for by Mr. Rath. He submits further, earlier termination was made in terms of contract clause 2.8.1, giving 60 days notice. It was challenged by petitioner. Upon hearing pursuant to order in the writ petition, impugned order has been passed. There should be no interference.

3. Mr. Pattanayak, learned advocate, Additional Standing Counsel appears on behalf of State.

4. Perused order dated 31st August, 2021 in earlier writ petition impugning termination notice dated 19th May, 2021. Prima facie understanding is that thereby the impugned order was set aside for passing final order in accordance with law. In event order impugned in this writ petition is to be termed as the final order, it is an order of termination and therefore petitioner entitled to 60 days notice.

5. Impugned order is stayed till next date. Opposite parties may file counter by 9th September, 2022. Petitioner will file rejoinder by 15th September, 2022.

6. List on 19th September, 2022.

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