



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1134 of 2026

M/s. Mythri Infrastructure and Mining Petitioner
India Private Limited, Andhra Pradesh

Mr. Vikas Singh, Senior Advocate
assisted by Ms. Subhashree Sen, Advocate

-Versus-

Managing Director, Odisha Mining Opposite Parties
Corporation Limited, Bhubaneswar
and another

Mr. P. K. Muduli, Advocate

CORAM:
HON' BLE THE CHIEF JUSTICE
AND
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

Order No. **ORDER**
13.01.2026

W.P.(C) No.1134 of 2026 and I.A. No.790 of 2026

- 01.** 1. The writ petition is taken out by the petitioner assailing the order dated 5th January, 2026 issued by the Chief General Manager (Mining), Odisha Mining Corporation Limited cancelling the tender dated 3rd November, 2025.
2. According to the petitioner, it along with another bidder was ultimately found eligible at the financial bid stage and in terms of the rules and regulations relating to the procedures to be adopted, the



reverse auction process was undertaken and in fact, the petitioner quoted the lowest price and was expecting the contract to be awarded. It is stated that the authorities whimsically cancelled the said contract without assigning any reason in support thereof and, therefore, any decision taken either in an administrative side or judicial side, which is bereft of any reasons, is always viewed seriously by the Courts of law.

3. According to Mr. Vikas Singh, learned Senior Counsel appearing for the petitioner, the right to know reason is ingrained and/or inhered in every system and unless the same is strictly adhered to the action taken, the violation thereof is susceptible to be interfered with. It is brought to the notice of the Court that the petitioner was the erstwhile operator and undertook operation since last eight years and even became the lowest bidder in the said tender process. It is further submitted that all the equipment and other machineries have already been installed thereat including the workforce and till the final decision is taken on the validity and/or legality and the sustainability of the said order of cancellation, as an interim measure, the petitioner may be permitted to operate at the lowest price so



quoted in course of the tender, which is allegedly cancelled for the better interest of the public and the Government exchequer.

4. An interlocutory application in this regard is also taken out by the petitioner. It is submitted by learned Senior Counsel that though such suggestion is made as a stopgap measure to operate in the interregnum, it is subject to the rights and the claim made in the instant writ petition and also outcome of the instant writ petition. The interlocutory application further reveals that such interim measure shall not accrue any equitable right into the petitioner nor such right would be claimed by the petitioner in the event of final decision to be taken in the instant writ petition.

5. Learned counsel for the Odisha Mining Corporation Limited-opposite parties (for short, 'Corporation') firstly submits that since the period of operation given to the petitioner has expired by efflux of time, it does not conferred any right into the petitioner to get it extended or renewed. He further submits that the petitioner has not approached the competent authority with the suggestion as mooted in course of the hearing and, therefore, there is no obligation imposed upon the authority to take into consideration.



6. We are not delving to go deep into the aspect whether the order of cancellation is legally sustainable or not at this juncture. The said issue shall be decided at the time of disposal of the instant writ petition. Since the suggestion has come in course of the hearing, there is no impediment on the part of the authority to consider the same and convey a conscious decision in this regard. We, therefore, direct the Corporation-opposite parties to ponder upon the said suggestion and communicate its decision on the next date of listing.

7. List this matter on 2nd February, 2026.

8. It is open to the contesting opposite parties to file a counter affidavit, if there be any, in the meantime.

9. The additional affidavit on behalf of the petitioner produced in Court today is taken on record.

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge

M. Panda