

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLREV No.32 of 2019**

***Bijaya Kumar Nayak***

***..... Petitioner***  
***Mr.P.K.Nanda, Advocate***

***-versus-***

***Baidya Ranjan Nanda and another***

***..... Opposite Parties***  
***Mr.S.D.Das, Sr. Advocate***  
***For Opp.Party No.1***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**  
**14.07.2022**

**Order No.**

- 08.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
  2. Heard learned counsel for the Petitioner as well as Mr.S.D.Das, learned Senior Advocate for the Opposite Party No.1.
  3. This application has been filed by the Opposite Party seeking withdrawal of the amount deposited pursuant to order dated 29.01.2019.
  4. Having heard learned counsel for the respective parties, this Court is of the considered view that since the Petitioner has lost in both the courts below there is no impediment for the Opposite Party No.1 to withdraw the amount deposited by the Petitioner. In such view of the matter, the Opposite Party No.1 is permitted to withdraw the amount as deposited by the Petitioner by furnishing an indemnity bond in the Court below.

5. With the aforesaid observation, the I.A. stands disposed of.
6. Issue urgent certified copy of this order as per Rules.

RKS

**( A.K. Mohapatra )**  
**Judge**

