



IN THE HIGH COURT OF ORISSA AT CUTTACK

WPCRL No. 1179 of 2013

**1. Rose Valley Hotels and
Entertainments Ltd.**

2. Shri Gautam Kundu

3. Shri Shibamoy Dutta

.....

Petitioners

None

-versus-

1. State of Odisha

**2. The Director General of Police,
Orissa, Cuttack**

3. Superintendent of Police, Cuttack

**4. The Inspector-in-charge, Kesinga
Police Station, Kalahandi**

.....

Opposite Parties

Mr. S.J. Mohanty, ASC

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

27.02.2026

Order No.

05.

(Through hybrid mode)

1. This WPCRL has been filed with the following prayer:-

“Under the circumstances stated above the petitioners most humbly pray that this Hon'ble Court may graciously be pleased to issue notice to the opposite parties and after hearing the parties be further pleased to:

(i) issue a writ, order or direction in the nature of Certiorari directing the Opposite Parties to transmit to this Hon'ble Court the records of this case so that conscionable justice may be rendered to the Petitioners;;

(ii) issue a writ of, or in the nature of, mandamus quashing the criminal proceedings in respect of Kesinga P.S. Case No.78



dated 11.05.2013.

(iii) issue a writ in the nature of mandamus for enforcement of the transcendental fundamental rights guaranteed to the petitioners under Articles 14, 19(1)(g), 21, 22 and 300A of the Constitution of India.

(iv) issue a writ of, or in the nature of prohibition, prohibiting the concerned Opposite Parties from conducting any further investigation in criminal proceedings in respect of Kesinga P.S. Case No.78 dated 11.05.2013.

(v) issue a writ of, or in the nature of prohibition, prohibiting the concerned Opposite Parties from sealing the Petitioner No. 1's offices at diverse locations in the State of Orissa in an arbitrary, unlawful, unauthorised and whimsical manner and/or in breach of principles of natural justice.”

2. This WPCRL has been filed on 26.08.2013. Thereafter it was listed on 23.12.2014 before the Deputy Registrar (J&E) where one week time was granted for removal of defects. Thereafter it was listed after 7 years on 09.02.2022 before the Division Bench of this Court when it was adjourned by the learned counsel for the Petitioners. On 29.06.2022, the Division Bench opined that it is a Single Judge matter and should be listed accordingly. Thereafter the matter has been listed today before this Court. It is therefore apparent that no orders issuing notice on admitting the matter have



been passed in the case till today.

3. Today when the matter is called, none appeared for the Petitioners in the first hour for which the matter has been passed over. When the matter is called after lunch, none appears for the Petitioners.

4. The main prayer in this WPCRL is for quashing the criminal proceedings in connection with Kesinga P.S. Case No. 78 dated 11.05.2013.

5. It appears that due to paucity of time, the WPCRL has been rendered infructuous as because investigation must have progressed considerably if not completed in the meanwhile, as more than 12 years have elapsed since registration of the FIR and filing of the WPCRL.

6. The WPCRL is therefore dismissed without issuing any direction.

(Savitri Ratho)
Judge

puspa