



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

**WP(C) No.5984 of 2026**

***Prakash Kumar Agrawal***

....

***Petitioner***

Mr. Prafulla Kumar Rath, Senior Advocate  
assisted by Mr. A. Behera, Advocate  
-versus-

***State of Odisha and others***

....

***Opposite Parties***

Mr. Sanjay Rath, AGA

**CORAM:**

**THE HON'BLE THE CHIEF JUSTICE**

**AND**

**THE HON'BLE MR. JUSTICE MURAHARI SRI RAMAN**

**ORDER**

**26.03.2026**

**Order No.**

- 02.
1. The petitioner approached this Court having treated differently at the behest of the Excise Department as and when a new site is suggested for relocating the Premium IMFL “OFF” Shop. Several sites were proposed, but on one reason or another, the authorities did not find the same suitable for shifting/establishing the said Premium IMFL “OFF” Shop.
  2. On the last occasion, we invited the attention of Mr. Prafulla Kumar Rath, learned Senior Advocate for the petitioner to take an instruction that which of the sites appears to be suitable one and if there is any special reason therefor, the same may be highlighted to this Court.
  3. The learned Senior Advocate appearing for the petitioner, after taking an instruction, submits that the sites, which were earlier proposed, are no longer available to his client and in fact his client being perturbed with such vagaries of the procedural aspect decided not to proceed any further and in fact approached the Government for refund of the amount which he has deposited.



4. Since the petitioner has decided not to pursue the remedy any further and abandoned the allotment, liberty is given to the petitioner to approach the Government for refund of the amount, which has been deposited by him for setting up and/or shifting the said shop to a particular location. If such application is made within two weeks from date, the authorities shall consider the said application and dispose of the same within two weeks therefrom. It goes without saying that the authorities shall take into account the sequel of the facts, as narrated hereinabove, while disposing of the said application.

5. With the aforesaid observation and direction, the writ petition stands disposed of.

**(Harish Tandon)**  
**Chief Justice**

**(M.S. Raman)**  
**Judge**

*MRS/Laxmikant*