

I. A. No. 3431 of 2021

8 9.4.2021

Heard Mr. S. Dwibedi, learned counsel for the petitioner and Mr. Patnaik, learned Addl. Standing Counsel through video conferencing mode.

This application has been filed praying for a direction to the Executive Engineer, Puri (R & B) Division, Puri (opposite party no.5) to release the admitted amount under Annexure-6 on such terms and conditions as is deemed appropriate.

Mr. Dwibedi drawing attention of this Court to Annexure-6, submits that since the petitioner is facing financial crunch and since the Chief Engineer (DPI & Roads) vide Annexure-6 dated 5.11.2016 has recommended to the Engineer-in-Chief-cum-Secretary to Government, Works Department, Government of Odisha, Bhubaneswar (opposite party no.2) to approve Rs.1,27,75,641/- as incentive in favour of the petitioner, the same be directed to be released in its favour without prejudice to the rights and liabilities of the parties.

Mr. Patnaik on instruction fairly submits that the said recommendation has been reiterated by the authorities again on 8.4.2021.

Considering all such submissions, this Court directs the Engineer-in-Chief-cum-Secretary to Government, Works Department, Government of Odisha, Bhubaneswar (opposite party no.2) to take a decision on such recommendation within a period of two weeks from the date of receipt of the copy of this order in accordance with law. It is needless to say that in case it is found that the recommendation made under Annexure-6 is legally acceptable and the petitioner is entitled to the same, the same may be released in favour of the petitioner forthwith without prejudice to the rights and contentions of the respective parties.

Accordingly, the I.A. is disposed of.

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Biswajit Mohanty, J.

9 9.4.2021

W.P.(C) No.7422 of 2021

Mr. Patnaik, learned Addl. Standing Counsel prays for three weeks time to file counter affidavit.

List this matter on 4.5.2021.

Parties may utilize the soft copy of this order available in the High Court's Website or print out thereof at par with certified copy in the manner prescribed, vide Court's Notice No.4587 dated 25.3.2020.

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Biswajit Mohanty, J.

Rns.

