

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

**W.P.(C) No.6715 of 2022**

*M/s. Swastik Stevedores Pvt. Ltd.* .... *Petitioner(s)*  
Mr. B. Baug,  
Advocate

*-versus-*

*Paradip Port Trust, Paradip & Ors.* .... *Opposite Party(s)*

**CORAM:  
JUSTICE BISWANATH RATH**

**ORDER  
14.03.2022**

**Order No.**

01. 1. Mr. Baug, learned counsel for Petitioner submitted that not only there is no demand for non-payment of arrears at any point of time, but there has also been repeated issuance of “No Dues Certificate” involving allotment involving Suit No.1 earlier known as Suit No.9. Taking this Court to the several documents, Mr. Baug, learned counsel for the Petitioner attempted to establish such case.

Considering the submission of Mr. Baug, learned counsel for the Petitioner and finding a prima facie case this Court directs for issuing notice on the question of admission.

2. Notice be issued to the Opposite Parties by way of Speed Post / Registered Post with A.D. fixing a short returnable date. Requisites for issuance of notice shall be filed within five working days hence.

***(Biswanath Rath)***  
***Judge***

**I.A. No.3389 of 2022**

- 02.
1. Issue notice as above.
  2. Accept one set of process fee.
  3. Considering that a demand against the Petitioner is pending vide Annexure-7, pending final outcome in the writ petition, this Court directs, there shall be stay of operation of such demand subject to however, Petitioner's depositing a sum of Rs.5,00,000/- (rupees five lakh) before the contesting Opposite Parties within a period of seven days hence. Such deposit will, however, be without prejudice to the claims and contentions of the parties involved. It is further directed that pendency of the writ petition shall not stand as a bar in granting conditional "No due certificate" and also considering the renewal involving the suit plot also as a condition subject to the outcome in the writ petition and Petitioner's submitting an undertaking by way of affidavit that in the event the Petitioner loses in the writ, it shall deposit the balance amount within two weeks of such order. It is also directed that pendency of the writ petition shall not stand as a bar on the way of the Opposite Parties in considering the objection of the Petitioner vide Annexure-8 pursuant to the demand under Annexure-7 and intimating the outcome, if any, to this Court by the next date.

***(Biswanath Rath)***  
***Judge***