



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 18053 of 2025

M/s. Bose Constructions, Nuapada* *Petitioner

Mr. Bibhuti Bhusan Mishra, Advocate

-versus-

State of Odisha and others* *Opposite Parties

Ms. Aishwarya Dash, Additional Standing Counsel

Mr. S.K. Sarangi, Senior Advocate assisted by

Mr. S. Sarangi, Advocate for OP No.4

**CORAM:
HON'BLE THE CHIEF JUSTICE
AND
HON'BLE MR JUSTICE MURAHARI SRI RAMAN**

Order No.

**ORDER
16.07.2025**

I.A. No.11670 of 2025

- 02.
1. This is an application filed by the petitioner for amendment of the writ petition incorporating the facts which are intertwined and/or inter-related with the facts constituting the cause of action in the instant writ petition.
 2. Since the amendment is formal in nature and does not change the character of the writ petition nor would novate the reliefs so claimed, the application for amendment is hereby allowed.



3. Though it appears that the amended writ petition has already been filed in the instant matter, but a copy thereof has not been served upon Ms. Dash, learned Additional Standing Counsel (ASC) appearing for the State.

4. Learned counsel for the petitioner is directed to serve a copy of the amended writ petition upon Ms. Dash, learned ASC in course of this day.

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5. Mr. Mishra, learned counsel appearing on behalf of the petitioner reiterates his stand which he took on the first day when the matter was taken up that on the date when the lottery was opened, the petitioner was neither communicated nor was present thereat.

6. Ms. Dash, learned ASC submits that the date for conducting the lottery was postponed on several occasions and on each such occasion, the communication was made to the participants, and in fact, when a date for conducting the lottery was fixed on 10.06.2025, a communication was made to the petitioner and the representative of the petitioner was personally present at the time of the lottery.



7. Mr. Mishra, learned counsel for the petitioner submits that since the petitioner was not communicated, he never authorized any person to appear on his behalf nor any person other than him could appear.

8. According to Ms. Dash, learned ASC, the instruction which she received indicates that one Abhijit Bose appeared after receiving the notice of fixing a date for conducting the lottery and, in fact, was present when the lottery was done, which is fortified by a document in which the brother of the petitioner put his signature and the mobile number.

9. In view of the stand taken by learned counsel for the petitioner, who does not recognize said Abhijit Bose as his representative, the State is directed to produce the documents pertaining to the appearance of the parties on the earlier dates which were fixed for conducting the lottery. Let the same be disclosed in the form of an affidavit to be filed within a period of one week from date.

10. Since Mr. S.K. Sarangi, learned Senior Counsel assisted by Mr. S. Sarangi enter appearance on behalf of opposite party No.4



without any direction for issuance of notice, learned counsel waives notice and seeks direction upon the petitioner to serve a copy of the amended writ petition on him.

11. Mr. Mishra, learned counsel for the petitioner is directed to serve a copy of the amended writ petition upon Mr. S. Sarangi, learned counsel appearing for opposite party No.4 in course of this day.

12. List this matter on 23rd July, 2025.

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge

S. Behera

Signature Not Verified

Digitally Signed
Signed by: SUMANTA BEHERA
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 21-Jul-2025 11:54:59

