



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.23733 of 2025

Ashok Kumar Bhoi

.....

Petitioner

Represented by Adv. –
Shambhu Charan Nath Sharma

B. Mahapatra

-versus-

***Vice Chancellor, Ravenshaw
University Cuttack & Ors.***

.....

Opposite Parties

Represented by Adv. –

Mr. S. Behera, AGA

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

08.07.2026

Order No.

I.A. No.12572 of 2026

04.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel appearing for the Opposite Parties.
4. The abovenoted I.A. has been filed at the instance of the Petitioner with a prayer for giving necessary directions to the State Consumer Dispute Redressal Commission to release the deposited amount of Rs.12,31,271/- which has been deposited in Execution



Case No.36 of 2020 in favour of the Petitioner. Pursuant to the direction of the learned NCDRC in F.A. No.766 of 2020.

5. Learned counsel for the Petitioner at the outset contended that the Petitioner, who happens to be the consumer, initially approached the State Consumer Dispute Redressal Commission, Odisha filing C.C. No.07 of 2016 under Section 17 of the Consumer Protection Act, 1986. Such complaint petition was duly adjudicated and, after hearing both sides, by virtue of the order dated 05.10.2020, the Consumer Complaint Case No.07 of 2016 was allowed directing the Opposite Party to pay compensation to the Petitioner.

6. Being aggrieved by the aforesaid judgment dated 05.10.2020 at Annexure-12 the Opposite Parties approached the learned NCDRC, New Delhi by filing FA No.766 of 2020. The abovenoted cross appeal was taken up for adjudication and the same has been finally disposed of vide order dated 09.06.2025 at Annexure-19 to the writ application. As per the order dated 09.06.2025, the award of the State Commission was modified to the extent that the portion of the order of the State Commission in CC No.07 of 2016 dated 05.10.2020 granting compensation of Rs.6,00,000/- to Rs.5,00,000/- respectively was set aside. Further the Appellant before the learned NCDRC was directed to refund the amount deposited along with simple interest @ 9% within a period of two months.

7. Being aggrieved by the order of the learned First Appellate Court passed in First Appeal No.766 of 2020, the Opposite Parties



approached the Hon'ble Supreme Court by filing Special Leave Petition (Civil) Diary No.44965 of 2025. The Hon'ble Supreme Court vide order dated 11.03.2026, after condoning the delay, dismissed the SLP on merits as it has been observed that the Hon'ble Court did not file any reason to interfere with the impugned order of the learned NCDRC. As such, learned counsel for the Petitioner contended that the order passed by the State Consumer Commission, later modified by the learned NCDRC, has attained finality after dismissal to the SLP vide order dated 11.03.2026. He further contended that despite the award of the State Commission having attained finality, the Petitioner has not been paid the amount as has been directed by the learned NCDRC.

8. In course of his argument, learned counsel for the Petitioner, drawing attention of this Court to the order dated 27.06.2024 passed in E.A. No.36 of 2020, contended that the judgment-debtor Opposite Party has already deposited a sum of Rs.12,31,271/- and, pursuant to the order passed in E.A. No.36 of 2020, the same has been kept in a Nationalized Bank in a fixed deposit account.

9. In the present I.A. application the Petitioner has prayed for release of the amount in his favour as he is in urgent need of money for his treatment. Learned counsel appearing for the Opposite Party, on the other hand, objected to the release of the aforesaid amount deposited in E.A. No.36 of 2020 before the learned NCDRC. He further contended that after dismissal of the abovenoted SLP, the Opposite Party has already filed a review



petition bearing RP (Diary) No.22152 of 2026. However, no order whatsoever was produced before this Court staying a further proceeding either before this Court or before the learned SCDRC in E.A. No.36 of 2020. Since the award passed by the learned SCDRC, as modified by the learned NCDRC, has attained finality after dismissal of the SLP preferred by the Opposite Parties, the Petitioner cannot be prevented from enjoying such award as the litigation is continuing since 2016.

10. Considering the submissions made by learned counsel appearing for both sides, further taking note to the factual background of the present case as well as the subsequent development, this Court directs the learned SCDRC to release the amount deposited by the Opposite Party along with accrued interest in favour of the Petitioner, subject to Petitioner providing additional property security to secure the amount and the release of the amount shall be subject to any further order to be passed in the present writ petition, as well as the pending review petition before the Hon'ble Supreme Court.

11. With the aforesaid observation and direction, the I.A. stands disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge