

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) Nos.25393 and 30044 of 2023

W.P.(C) No. 25393 of 2023

*Re Sustainability Limited, formerly
known as Ramky Enviro Engineers
Limited* *Petitioner*

Mr. R.P. Kar, Senior Advocate assisted by
Mr. T.K. Satapathy, Advocate

-versus-

Union of India and others *Opposite Parties*

Mr. D.R. Bhokta, CGC
Mr. P.K. Mohanty, Senior Advocate for IDCO-O.P. No.5
Mr. S. K. Dash with Mr. A. Pattnaik, Advocates for O.P. No.8

W.P.(C) No. 30044 of 2023

Utkal Innovation *Petitioner*

Mr. S. K. Dash with Mr. A. Pattnaik, Advocates

-versus-

Union of India and others *Opposite Parties*

Mr. D.R. Bhokta, CGC
Mr. P.K. Mohanty, Senior Advocate for IDCO-O.P. No.5
Mr. R.P. Kar, Senior Advocate assisted by
Mr. T.K. Satapathy, Advocate for O.P. No.8

CORAM:

**ACTING CHIEF JUSTICE DR. B.R. SARANGI
MR. JUSTICE MURAHARI SRI RAMAN**

Order No.

ORDER
13.12.2023

These matters are taken up through Hybrid mode.

I.A. No.19653 of 2023 arising out of W.P.(C) No. 25393 of 2023

04. 1. This is an application for amendment of the cause title of the writ petition (W.P.(C) No. 25393 of 2023).

2. Heard Mr. R.P. Kar, learned Senior Counsel along with Mr. T.K. Satapathy, learned counsel appearing for the Petitioner, Mr. D.R. Bhokta, learned Central Government Counsel for Union of India, Mr. P.K. Mohanty, learned Senior Counsel for IDCO-Opposite Party No.5 and Mr. S. K. Dash, learned counsel for Opposite Party No.8.

3. Mr. Kar has contended that there is a wrong description of Opposite Party No.5 in the cause title of the writ petition and, therefore, he has filed this application for correction of the same. Accordingly, a prayer is made to allow this application.

4. Considering the grounds stated therein, the Petitioner is permitted to make necessary amendment to the cause title indicating the correct name and details of Opposite Party No.5. The consolidated cause title incorporating the necessary correction has been filed. The same is taken on record and office is directed to place the same at appropriate place of the brief.

5. Accordingly, the I.A. stands disposed of.

(DR. B.R. SARANGI)
ACTING CHIEF JUSTICE

(M.S. RAMAN)
JUDGE

W.P.(C) No.25393 of 2023

1. Issue notice to the newly impleaded Opposite Party No.5.

2. Since Mr. P.K. Mohanty, learned Senior Counsel along with Mr. P. Mohanty, learned counsel have already entered appearance for the newly impleaded Opposite Party No.5, no notice need be issued

to said Opposite Party. Mr. Mohanty, learned Senior Counsel has produced a show-cause affidavit in compliance with the order dated 8th December, 2023 of this Court, which is taken on record. A copy of the said affidavit has already been served on Mr. Kar, who seeks time to go through the same.

3. Learned counsel for the Petitioner and the IDCO-Opposite Party No.5 are directed to file their respective affidavits within two weeks indicating whether the land on which Petitioner-Company has been established is not a coal bearing land.

4. Mr. P.K. Mohanty, learned Senior Counsel appearing for the IDCO-Opposite Party No.5, states that whatever land is provided by the Government to the IDCO, the nature thereof is not within their knowledge. In view of such statement made by Mr. Mohanty, let an affidavit to that extent be filed by the next date of listing.

5. Call these matters after two weeks. The interim order passed earlier shall continue till the next date of listing.

I. A. No.14495 of 2023 arising out of W.P.(C) No. 30044 of 2023

6. The status quo as on date shall be maintained by the parties till the next date of listing.

(DR. B.R. SARANGI)
ACTING CHIEF JUSTICE

(M.S. RAMAN)
JUDGE

*S. Behera/
M. Panda*