

ITEM NO.13

COURT NO.10

SECTION XI-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) .....Diary No(s).10181/2018

(Arising out of impugned final judgment and order dated 12-03-2018 in MCN No.2873/2018 in WP(C)No.3349/2018 passed by the High Court Of Orissa At Cuttack)

BIREN SENAPATY

Petitioner(s)

VERSUS

M/s. KEDIA CARBON PRIVATE LTD &amp; ORS.

Respondent(s)

(With appln.(s) for permission to file SLP and exemption from filing O.T.)

Date : 21-03-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. P.N. Mishra, Sr. Adv.  
Mr. Abhishth Kumar, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

1. Permission to file SLP is granted.
2. Learned senior counsel appearing for the petitioner has submitted that the impugned interim order runs to the counter to the order passed by this Court in the case of Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors., decided on 22.2.2017.
3. It appears from the interim order that has been passed, it can be vacated also by the High Court and it also appears that attention of the High Court has not been drawn to the order passed by this Court. Since it is open to the petitioner to approach the High Court and seek vacation of the interim order passed by the High Court, we

are not inclined to entertain this petition at this stage.

4. Accordingly the special leave petition and all the pending applications stand disposed of.

(Sarita Purohit)  
Court master

(Jagdish Chander)  
Branch Officer