

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRA No.270 of 1990

Laxminarayan Patra

....

Appellant

Mr. A.K. Patra, Advocate

-versus-

State of Odisha

....

Respondent

Mr. M.S.Rizvi, A.S.C.(Vig)

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
05.9.2022.

Order No.

12.

1. This matter is taken up through hybrid mode.
2. Mr. A.K.Patra, learned counsel appearing for the appellant, submits that he had filed an application for substitution of the deceased-appellant on behalf of his legal heirs. It appears that the same was not filed within 30 days of the death of the Appellant. This Court also finds that no reason has been cited for not approaching the Court earlier. Even otherwise, it is submitted by Mr. Patra that though the petition for substitution was filed on behalf of legal heirs, yet they are no longer interested to pursue the appeal.

3. Considering the above facts and having due regard to the proviso to Sub-Section (2) of Section 394 of Cr.P.C. the appeal stands abated.

AKB

(Sashikanta Mishra)
Judge

