

IN THE HIGH COURT OF ORISSA AT CUTTACK

L.A.A No. 82 of 2009

State of Orissa

.....

Appellant

Mr. G. Rout, ASC.

Vs.

O.N. Purohit

.....

Respondent

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

26.10.2022

Order No.

04.

This matter is taken up through hybrid mode.

2. This Appeal has been preferred against the judgment dated 11.12.2006, passed by the learned Civil Judge (Senior Division), Sambalpur, in L.A. Case No.18 of 2003 on 10.09.2009.

3. As per the Office note, there is a delay of 894 days in filing the present Appeal. Though vide Order dated 31.08.2018, it was directed to take steps for condonation of delay within a period of one week and thereafter issue notice on question of limitation as well as Appeal on the Respondent by Registered post with A.D., requisites for which to be filed within two weeks, as per the noting given by the office, no steps for condonation of delay has been taken by the State-Appellant and requisites filed for issuance of notice to the sole Respondent is also incomplete.

4. In view of the recent judgment/order of this Court in the case of *State of Odisha Vrs. Surama Manjari Das* (W.P.(C) No.15763 of 2021 dismissed on 16.07.2021), which has been passed relying on the decision of the Supreme Court in the case

of *The State of Madhya Pradesh Vrs. Bherulal*, reported in 2020 *SCC Online SC 849*, this Appeal deserves to be dismissed on the ground of delay and laches.

5. Accordingly, the Appeal preferred under Section 54 of the Land Acquisition Act, 1894, stands dismissed on the ground of delay and laches.

(S.K. MISHRA)
JUDGE

Banita

