

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2014 of 2011

Satchikanta Panda

....

Petitioner

Mr. A.K. Panda, Advocate

-versus-

State of Orissa and others

....

Opposite Parties

Mr. S.R. Roul, ASC

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER
03.01.2023
I.A. No.931 of 2022**

Order No.

08.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application filed by the petitioner for recall of order passed on 15.03.2022 in CRLMC No.2014 of 2011.
3. In the course of hearing of the I.A. Mr. A.K. Panda, learned counsel for the petitioner submits that in fact O.P.No.2-Arjun Panda, who was the petitioner in the proceeding before the learned Executive Magistrate, Banki has expired but inadvertently it was submitted before this Court on 15.03.2022 that the petitioner has died, although he is alive and, accordingly, this Court passed an order directing abatement of the CRLMC. It is accordingly, prayed to recall the order passed on 15.03.2022.

4. In view of the aforesaid submissions and taking into consideration the averments made in the I.A. together with the order passed on 15.03.2022, this Court allows the I.A. and directs for recall of the order passed on 15.03.2022.

5. Accordingly, the I.A. stands disposed of and the CRLMC is restored to file.

(G. Satapathy)
Judge

CRLMC No.2014 of 2011

09.

1. After restoration of the CRLMC, Mr. A.K. Panda, learned counsel for the petitioner submits that the CRLMC may kindly be disposed of giving direction to the learned Executive Magistrate, Banki to dispose of the proceeding in CMC No.160 of 2004 on merit in accordance with law.

2. In view of the aforesaid submissions, this Court without delving into the materials on record on merit disposes of the CRLMC requesting the learned Executive Magistrate, Banki to dispose of the proceeding in CMC No.160 of 2004 on merit in accordance with law as expeditiously as possible.

3. Accordingly, the CRLMC stands disposed of.

(G. Satapathy)
Judge

Subhasmita