

IN THE HIGH COURT OF ORISSA AT CUTTACK

L.A.A No. 110 of 2009

State of Orissa

.....

Appellant

Mr. G. Rout, ASC

Vs.

Goutam Behera

.....

Respondent

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

26.10.2022

Misc. Case No.192 of 2009

Order No.

02.

This matter is taken up through hybrid mode.

2. Though the Misc. Case has been filed on 27.10.2009 praying therein to allow two months time to the Appellants to pay the Court Fee, the Deficit Court Fee was paid on 15.12.2009, which is accepted by extending the said period till the date of payment of such Court Fee.

3. Accordingly, the Misc. Case stands disposed of

(S.K. MISHRA)

JUDGE

Order No.

03.

L.A.A. No.110 of 2009

1. This Appeal has been preferred against the judgment dated 30.11.2005, passed by the learned Civil Judge (Senior Division), Athmallik, in L.A. Case No.18 of 2004 on 27.10.2009.

2. As per the office note, there is delay of 3 years 345 days in preferring the present Appeal but till date no step has been taken by the Sate-Appellant

for condonation of delay.

3. 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.

4. Accordingly, 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

