

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.2068 of 2022

Harihar Senapati

....

Petitioner(s)
Mr. S.K. Sarangi,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)
Mr. R.P. Mahapatra,
AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
22.02.2022

Order No.

01. 1. It appears, even after obtaining an order from this Court in W.P.(C) No.21492 of 2021 thereby directing for re-disposal of the appeal involved by affording opportunity of hearing, the Petitioner went on filing petitions after petitions seeking time. It appears, Counsel for Petitioner went on filing petitions after petitions seeking adjournment of the matter on the plea of non-collection of the relevant documents. This Court here finds, the Petitioner has attempted to take advantage of the interim protection granted by this Court in disposal of the W.P.(C) No.21492 of 2021, further when the case is in appeal stage, there cannot be any scope with the Petitioner to search for further documents. However, since the appeal was once again decided *ex parte*, but for non-cooperation of the Petitioner, this Court taking serious note of the conduct of the Appellant therein i.e. the Petitioner herein in attempting to linger the appeal proceeding even remaining in enjoyment of a protection from this Court in the above noted writ

petition, though this Court interferes in the impugned order and directs for fresh disposal of the appeal involved herein, however looking to the conduct of the Petitioner, imposes a cost of Rs.2,000/- (rupees two thousand only) on the Petitioner to be deposited in favour of the Orissa High Court Bar Association Welfare Fund within seven days hence.

2. Further considering that there has been several adjournments of the appeal and there are two remand orders already involved, this Court directs, the appeal involved herein shall be disposed of within a period of one month from the date of communication of an authenticated copy of this order along with receipt showing deposit of such cost and without entering into any further adjournment.

3. The writ petition stands disposed of with the aforesaid direction.

(Biswanath Rath)
Judge