

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.396 of 2017

Somanath Mattam and others

.... ***Appellants***
Ms. S. Devi, Advocate

-versus-

Narasingh Patro and others

.... ***Respondents***
Mr. D.K. Mohanty, AGA for Respondent Nos.3 & 4

**CORAM:
THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH**

ORDER

17.10.2022

Order No.

I.A. No.317 of 2018

10. 1. This is an application seeking condonation of delay of 309 days in filing the appeal.
2. The only explanation the delay is given in paragraph-3 of the application that Appellant No.1 who has looking after the case was seriously ill and was advised till 20th October, 2017 and that immediately after his recovery he has filed the present appeal.
3. It is seen that the impugned order dated 21st February, 2017 and the bed rest continued till 20th October, 2017. When thereafter it was filed, no application for condonation of delay was filed. It was ultimately filed on 28th February, 2018. There has been a lackadaisical approach at every stage of the proceedings. The Court is not satisfied that the delay of 309 days in filing the appeal has

been properly explained. The I.A. is accordingly dismissed.
Consequently, the appeal is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

KC Bisoi

