

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMAPL No. 140 of 2019

***Kalpana Biri Manufacturing
Co. Pvt. Ltd., Sambalpur***

.....

Petitioner

Mr. B. Mohanty, Advocate

Vs.

State of Orissa and others

.....

Opposite Parties
Mr. S. Rath, A.S.C.

CORAM:

**DR. JUSTICE B.R. SARANGI
Mr. JUSTICE G. SATAPATHY**

ORDER

21.09.2022

CMAPL No. 140 of 2019

&

I.A. No.45 of 2019

Order No.

02.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the petitioner.

3. This CMAPL has been filed for restoration of W.P.(C) No.9645 of 2003 by recalling the order dated 10.02.2017.

4. This application has been filed after a delay of 703 days. On perusal of the records, there is delay of 703 days in filing the CMAPL application and each day delay has not been properly explained.

5. In view of the judgment passed by this Court in ***State of Orissa and another v. Bishnupriya Routray and another***, 118 (2014) CLT 588, this Court is not inclined to condone the delay of 703 days in filing the CMAPL application.

6. Accordingly, the I.A. stands dismissed and consequentially, CMAPL stands dismissed.

**(DR. B.R. SARANGI)
JUDGE**

**(G. SATAPATHY)
JUDGE**

