

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No. 59 of 2022

Laxmikanta Gouda @ Tutu @ Kalia Petitioner
Mr. Biswaranjan Das, Advocate

Versus

State of Orissa Opposite Party
Mr. S.N. Nayak, A.S.C.

CORAM:
JUSTICE SAVITRI RATHO

ORDER
18.05.2022

Order No.

02. 1. This matter is taken up through hybrid mode.
2. Heard Mr. Biswaranjan Das learned counsel for the petitioner.
3. This is an application for restoration of BLAPL No.535 of 2021 which was dismissed for default on 16.02.2022.
4. Mr. Das, learned counsel for the petitioner submits that inadvertently it has been stated in paragraph 3 of the application that at the time of listing, the name of the counsels who had appeared for the petitioner subsequently for the present petitioner could not reflected in the cause list. He further states that his name along with name of Mr. A.R. Panda, Mr. S.S. Dash and Mr. B. Karna had been reflected in the cause list, but somehow as the name of the earlier counsel had also been reflected in the cause list, they missed the case and could not be present when the matter was called.
5. After hearing the submissions of the counsel , I feel that the petitioner who is in custody should not suffer for the mistake or laches of his counsels . The order dated 16.02.2022 passed in BLAPL No.535 of 2021 is therefore recalled and BLAPL No. 535 of 2021 is restored to file.

The CRLMA is accordingly allowed .

.....
(Savitri Ratho)
Judge