

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPCRL No.40 of 2021

Dilip Nayak @ Dilip Nayak ***Petitioner***

Mr.Sitakanta Hota, Advocate on behalf of
Mr. S.K. Dwibedi, Advocate

-versus-

Chairman, State Sentence ***Opp.parties***
Review Board & others

Mr.J.P.Patnaik, AGA

CORAM:
JUSTICE S. TALAPATRA
JUSTICE M.S.SAHOO

ORDER

21.07.2022

Order No.

6. 1. This matter is taken up through hybrid mode.
2. Mr. S. Hota, learned counsel appearing on instruction of Mr. S.K.Dwibedi, learned counsel for the petitioner has submitted that a communication was made by the Medical Officer on Duty of MKCG Medical College Hospital, Berhampur. From the said communication, addressed to the Officer-in-charge of Badyanathpur Police Station, Berhampur, Ganjam, it has surfaced that the petitioner herein was brought dead on 25.11.2021 at about 4.45 P.M.
3. Mr. J.P.Patnaik, learned Additional Government Advocate appearing for the State has produced another communication dated 14.07.2022 of the Senior Superintendent, Circle Jail, Berhampur. The said communication is an instruction in writing. It surfaces therefrom that when the petitioner, namely, Dillip Nayak was enjoying special parole from 26.05.2021 to 21.12.2021, for a period of 110 days, he died following a road traffic accident, which occurred on 25.11.2021. These two

documents are before us, clearly establish that the petitioner died on 25.11.2021.

4. This writ petition has been filed against the decision of the State Sentence Review Board, Odisha as they had refused to grant him premature release. With the death of the petitioner, the writ petition comes to an end and no cause for adjudication survives.

5. The writ petition stands closed in view of the above facts. The records produced by the learned Additional Government Advocate is returned. But the copy of communication made by the Medical Officer, MKCG Medical College Hospital, Berhampur be made part of the records.

(S. Talapatra)
Judge

(M.S. Sahoo)
Judge