

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No.78 of 2022

M/s. Interlink Pvt. Ltd.

....

Petitioner

-versus-

Republic of India

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

ORDER

05.05.2022

Order

No.

01.

1. This matter is taken up through hybrid mode.

2. This is an application for restoration of CRLMC No.1763 of 2011, which was dismissed for non-prosecution vide order dated 25th March, 2022.

3. The aforesaid Criminal Misc. Case is of the year 2011 wherein the Petitioner has challenged the order of refusal of his discharge petition.

4. It appears that the aforesaid Criminal Misc. Case was dismissed for non-prosecution vide order dated 6th November, 2021. However, on prayer made, the same was restored vide order dated 25th November, 2021 passed in CRLMA No.254 of 2021. Again when no one had appeared on behalf of the Petitioner on the date fixed, the case was dismissed.

5. Mr. Bidyalok Mohapatra, learned counsel appearing for the Petitioner submits that as the name of Miss Rajdipa Behura, learned counsel, was appearing in the cause list as “R. Behura”, she was missed the list and could not appear before the Court. Hence, the aforesaid Criminal Misc. Case be restored and disposed of on merit.

6. I am not inclined to do so, as this is the second default.

7. Hence, the CRLMA is dismissed.

8. But, liberty is given to the Petitioner to approach this Court, if the cause of action survives, by filing a fresh petition.

(S. Pujahari)
Judge

DA