

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMAPL No. 195 of 2022

***Pusparani Biswal @ Pusparani
Munda***

.....

Petitioner

Mr. A.C. Behera, Adv.

Vs.

Collector, Jagatsinghpur and Anr.

.....

***Opposite Parties
State Counsel***

CORAM:

DR. JUSTICE B.R. SARANGI

**ORDER
08.09.2022**

Order No.
01.

This matter is taken up through hybrid mode.

2. This application has been filed for condonation of delay of 1158 days in preferring the CMAPL.
3. W.P. (C) No.1505 of 2015 was dismissed for default on 29.01.2019. On perusal of the application, it appears that the petitioner has filed this application for recalling of the order dated 29.01.2019 passed in W.P. (C) No.1505 of 2015 and seeks that the same should be restored.
4. In a similar case, i.e. ***State of Odisha and another v. Smt. Bishnupriya Routray and another***, 118 (2014) CLT 588, this Court had not condoned the delay of 706 days in preferring the appeal. Applying the same principle to the present case and looking at the reasons assigned in the petition, it appears that sufficient cause has not been shown to condone the delay of 1158 days in preferring the CMAPL. That apart no due diligence has been indicated in the petition in preferring the CMAPL.
5. Accordingly, I.A. is rejected.

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

Ashok