

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMAPL No.221 of 2022

Nabanita Prusty

.... ***Petitioner***
Mr. P.K. Rath, Advocate

-versus-

Malaya Chandra Pothal

.... ***Opposite Party***

CORAM:
THE CHIEF JUSTICE
JUSTICE K.R. MOHAPATRA

ORDER
29.07.2022

Order No.

01.

I.A. No.96 of 2022 and CMAPL No.221 of 2022

1. There was already a delay of almost five years in the Petitioner-Appellant filing the appeal in this Court against a judgment dated 26th March 2011 of the Family Court, Cuttack. On the application being Misc. Case No.85 of 2016 filed in the main appeal for condonation of delay, notice had been issued by the Court way back on 3rd March, 2017. But since then, for a period of about five years, steps for issuance of such notice was not taken.

2. Repeated adjournments and opportunities were granted to enable the Petitioner-Appellant to take such steps even after five years after the filing of the appeal. In particular, reference may be made to the orders dated 8th March 2021 and 19th April, 2021. Even, the present CMAPL is delayed by eleven months.

3. In the circumstances, the Court is not inclined to condone the delay in filing the restoration application. Consequently, both the

application for condonation of delay as well as the restoration application are hereby dismissed.

(Dr. S. Muralidhar)
Chief Justice

(K.R. Mohapatra)
Judge

S.K. Guin

