

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLMC No.3383 of 2011**

*Smitarani Mohanty and another* .... *Petitioners*  
*versus-*  
*State of Orissa and another* .... *Opposite Parties*

**CORAM: JUSTICE S. PUJAHARI**

**Order**  
**No.**

**ORDER**  
**16.03.2022**

04.           1.       This matter is taken up through hybrid mode.
2.       This application under Section 482 of Cr.P.C. has been filed by the Petitioners with a prayer to quash the order of cognizance dated 3<sup>rd</sup> April, 2008 passed by the learned S.D.J.M., Puri in I.C.C. No.475 of 2007.
3.       No one appears on behalf of the Petitioners at the time of call.
4.       The case is of the year 2011.
5.       As such, this Court is of the view that the Petitioners are recalcitrant litigants and do not want to proceed with the matter.
6.       Hence, this CRLMC stands dismissed for non-prosecution.
7.       However, liberty is given to the Petitioners to raise all the contentions at the time of framing of charge, if charge has

not been framed in this case and in that event, the court concerned shall consider the same in accordance with law.

8. Interim order dated 28<sup>th</sup> September, 2011 passed by this Court in Misc. Case No.2230 of 2011 stands vacated.

9. Order be communicated to the court concerned forthwith.

**(S. Pujahari)**  
**Judge**

DA

