

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.1713 of 2016

Kalia @ Sushil Behera & another ***Petitioners***
Mr. B.Nayak, Advocate

-versus-

State of Orissa ***Opp. Party***
Mr.P.Tripathy, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
20.09.2022

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Learned counsel for the petitioners submits that in the meantime the brief has been transferred to some other counsel and he, therefore, prays for deletion of name of Mr.Balaram Nayak, and his associates learned counsels, from the record. In view of the aforesaid submission, the name Mr.Balaram Nayak and his associates, learned counsels be accordingly deleted from the brief.
 3. However, none appears for the petitioners at the time of call. Further, the petitioners by way of this application U/S. 482 of Cr.P.C seeks to quash the order taking cognizance dated 30.04.2015 passed by learned S.D.J.M., Hindol and the further proceeding in this case arising out of same case i.e. Balimi P.S. Case No. 5 dated 06.01.2015 but no stay has been granted from further proceeding in this case and in the meantime, six years have already elapsed. This Court entertains a

reasonable doubt as to whether the cause of action for the present petitioner still survives.

4. In view of such development in the matter, the CRLMC is dismissed for non-prosecution.

(G. Satapathy)
Judge

Kishore

