

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.18584 of 2022

Sumanta Kumar Behera

....

Petitioner(s)

Mr. N.Ch. Mohanty,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. U.K. Sahoo,
Addl. Standing Counsel

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
09.09.2022**

Order No.

01. 1. Undisputedly the Mutation Case has been disposed rejecting the claim of the Petitioner on some reasons. Grounds raised herein can very well be agitated and adjudicated by the appellate authority. Since the Petitioner has a statutory remedy of appeal, this Court is not inclined to entertain the Writ Petition at this stage. However, considering the request made by the learned counsel for Petitioner, this Court permits the Petitioner to withdraw this Writ Petition with liberty to file an appeal along with an application for condonation of delay within a period of ten days hence.
2. It is further directed that in the event the Petitioner files appeal along with an application for condonation of delay, if any, within the aforesaid period, the delay shall be condoned and the appeal shall be heard on its own merit.

3. The Writ Petition stands disposed of with the above direction.

(Biswanath Rath)
Judge

Ayaskanta Jena

