

IN THE HIGH COURT OF ORISSA AT CUTTACK

WA No.1156 of 2022

State of Odisha

.... ***Appellant***
Mr. Iswar Mohanty, ASC

-versus-

Ambika Prasad Rout and another

.... ***Respondents***
Mr. G.R.Sethi, Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH**

**ORDER
22.09.2022**

Order No.

01.

I.A.No.2839 of 2022

1. This is an application for condonation of delay in filing the appeal.
2. As far as the delay is concerned, it appears that the delay occurred during the period of Covid-19.
3. In that view of the matter, the delay in filing the appeal is condoned. The I.A. is disposed of.

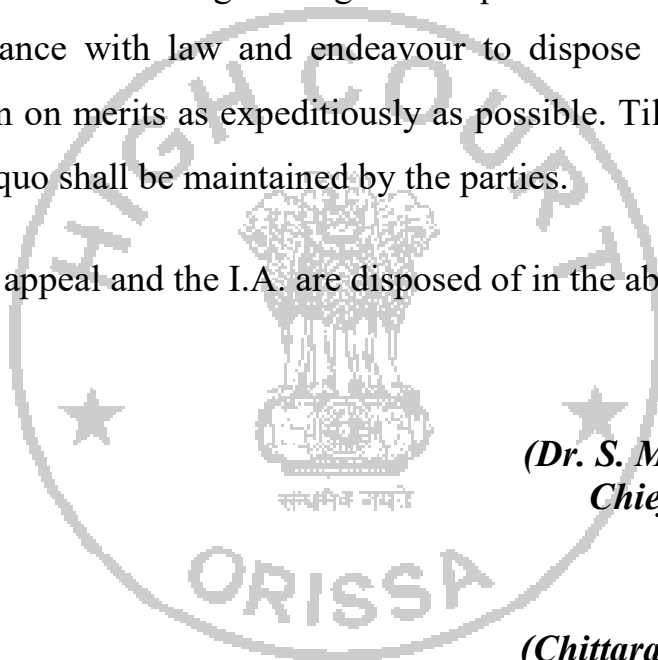
W.A.No.1156 of 2022 & I.A. No.2840 of 2022

4. It is seen that the impugned order was passed on the very first date of its hearing without any opportunity given to the Appellant to file any reply to the writ petition which involved questions of facts, which required reply by way of a counter affidavit.

5. On that short ground, the impugned order of the learned Single Judge dated 25th August, 2020 is set aside and the W.P (C) No.37278 of 2020 is restored to the file of the learned Single Judge where it will be listed for hearing on 1st November, 2022. The Appellant would file its reply to the writ petition on or before 26th October, 2022 and the rejoinder thereto if any be filed by 1st November, 2022. No further time would be granted for this purpose.

6. The learned Single Judge is requested to proceed in accordance with law and endeavour to dispose of the writ petition on merits as expeditiously as possible. Till such time status quo shall be maintained by the parties.

7. The appeal and the I.A. are disposed of in the above terms.



(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

B.C.Mohanty