

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMAPL No. 403 of 2022

Saradamani Ray

....

Petitioner

Mr. Kishore Kumar Jena, Advocate

-versus-

***State of Odisha and
another***

....

Opp. Parties

Mr. S. K. Samal, AGA

CORAM:

JUSTICE SANJAY KUMAR MISHRA

ORDER

08.09.2022

Order No.

- 01.** 1. This matter is taken up through hybrid mode.
2. This application has been filed for restoration of L.A.A. No. 6 of 2005, dismissed for non-prosecution on 16.08.2022.
3. Mr. A. K. Jena, learned Counsel submits that Mr. S. K. Pattanaik, learned Counsel appearing in the Appeal is suffering from cancer for which the file was returned to the Petitioner with his consent. Mr. A. K. Jena and Associates though rendered appearance on 21.07.2022 by filing Vakalatnama duly executed in their favour, when the Appeal got listed on 16.08.2022, unfortunately the name of Mr. Kishore Kumar Jena and Associates did not appear in the Cause List, for

which the learned Counsel for the Appellant could not know about the listing of the said Appeal.

4. In view of such averment made in the restoration application, so also submission made by the learned Counsel for the Petitioner, this CMAPL stands allowed. Accordingly, the L.A.A. No. 6 of 2005, which was dismissed for non-prosecution on 16.08.2022, be restored to file.

(S. K. MISHRA)
JUDGE

AKPradhan

