

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1768 OF 2021

Bichitra narayan Sahoo

**..... *Petitioner*
*Mr. Sheshadeba Das, Adv.***

-versus-

Prasant Kumar Bag

**..... *Opposite Parties*
*Mr. D.Mund, AGA***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
10.03.2022**

**Order No.
03.**

1. This matter is taken up through Hybrid Mode.
2. Heard Mr. Sheshadeba Das, learned counsel for the petitioner and Mr. D. Mund, learned Additional Government Advocate for the State.
3. The petitioner is aggrieved by the order dtd. 19.08.2021 in connection with I.C.C. Case No. 95 of 2020 passed by the learned S.D.J.M.(Sadar), Cuttack.
6. Taking into account the recitals in the CRLMC petition and on consideration of the submission made by the learned counsel for the petitioner, this Court feels that cause of petitioner will be sub served if he is given an opportunity to fortify his stand before the learned Court below regarding his illness which prevented him from filing the complaint petition within the prescribed period.

7. Accordingly, the order dtd. 19.08.2021 passed by the learned SDJM (Sadar), Cuttack passed in 1.C.C. Case No. 95 of 2020 is set aside, giving liberty to the petitioner to re-agitate his grievance before the learned Court below. The learned Court below shall do well to consider the matter afresh on the basis of material available produced and without being influenced by the earlier order dtd. 19.08.2021.

8. The CRLMC thus stands disposed of.

9. Urgent certified copy of this order be granted as per rule.

Balaram

(V.Narasingh)
Judge

