

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMP NO. 2351 OF 2022

Ananta Basudev

.... *Petitioner*

Mr.Ramdas Achary, Adv.

-versus-

State of Odisha & Ors.

.... *Opposite Parties*

State counsel

CORAM:

DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
05.04.2023

02.

I.A. No. 458 of 2022

1. This matter is taken up through hybrid arrangement.
2. This petition has been filed by the learned counsel for the opposite party No.3/IIC, Chandrasekharpur P.S with a prayer to recall/modify the order dated 22.11.2022 and not to proceed against the Inspector In-Charge, Chandrasekharpur P.S..
3. It is submitted that for non-registration of the FIR the petitioner had approached this Court by filing CRLMP wherein it was ordered to take appropriate actions against the concerned police officer for non compliance of the order dated 25.01.2022 passed by the learned S.D.J.M., Bhubaneswar and it was also observed that the Police is not even bothered to comply with the order passed by the

judicial authority. If it is necessary, the learned S.D.J.M., Bhubaneswr shall invoke Section 166-A of the IPC for dereliction of duty which needs to be expunged.

4. It is further submitted that the IIC, Chandrasekharpur P.S. joined on 13.08.2021 and continued in the said station till 05.08.2022. However, in the meantime, the order of the learned S.D.J.M., Bhubaneswar has been duly complied with by registering the F.I.R. vide Chandrasekharpur P.S. Case No. 453 of 2022.

5. In view of above submission made, the prayer for modification is allowed. Accordingly, the paragraph Nos. 4 and 5 be deleted from the order dated 22.11.2022 by inserting the following paragraph and read as such:

4. On the otherhand, learned counsel for the State submits that since the order of the learned S.D.J.M. has been complied by the I.I.C. of the Chandrasekhar P.S. by registering the F.I.R. as Chandrasekharpur P.S. Case No. 453 of 2022, the matter has become infructuous.

6. With the aforesaid observation the I.A is accordingly disposed of.

(Dr. S.K. Panigrahi)
Judge