

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 2477 of 2022

Ambika Prasad Nayak *Petitioner*
Mr. Gopal Krushna Mohanty, Adv.
-versus-
Union of India and others *Opposite Parties*

CORAM:
DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
16.08.2023

04. I.A. No. 249 of 2023

1. This matter is taken up through hybrid arrangement.
2. This is an application for extension of time to comply with the order dated 21.12.2022 passed by the this Court in CRLMP No.2477 of 2022.
3. Heard learned counsel for the petitioner and learned counsel for the State.
4. Learned counsel for the petitioner submits that pursuant to the order dated 21.12.2022 passed by this Court when the petitioner approached the jurisdictional Court i.e. court of J.M.F.C., Badama for filing application under Section 156(3)Cr.P.C for appropriate redressal,

none of the advocates cooperated him to take up the case with respect to U.D. Case No.4 of 2007 of Badamba P.S. on the ground that all the accused persons involved in the case are anti-socials who are roaming freely outside under the protection of Police and political persons and expressed their unwillingness apprehending danger to their lives. Hence, he prays for transfer of the entire case record in U.D. Case No.04 of 2007 from the jurisdictional court of J.M.F.C., Badamba to any other court.

5. Learned counsel for the State submits that he does not have any objection, if the case of the petitioner is transferred in the interest of justice and proper adjudication.

6. Considering the above facts and circumstances, this Court deems it appropriate to transfer the entire case record in U.D. Case No.04 of 2007 relating to Badamba P.S. from the court of learned J.M.F.C., Badamba to the court of learned J.M.F.C. (Rural), Cuttack in the interest of justice and fairplay.

7. Accordingly, the learned J.M.F.C. Badamba is directed to take steps for transmission of entire case record with respect to U.D. Case No. 04 of 2007 to the court of

learned J.M.F.C.(Rural), Cuttack within a week for adjudication after the presentation of this order.

8. In view of the above, the I.A. is disposed of.

(Dr. S.K. Panigrahi)
Judge



Lingaraj