IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 35 of 2024

State of Odisha & Another ….. ***Appellants***

Mr. Biplab Mohanty, AGA

Vs.

Ashok Kumar Patra & Another ….. ***Respondents***

CORAM:
ACTING CHIEF JUSTICE DR. B.R. SARANGI
MR. JUSTICE MURAHARI SRI RAMAN

ORDER
31.01.2024
W.A. No. 35 of 2024 & I.A. No. 217 of 2024

Order No.
01. This matter is taken up by hybrid mode.

2. This application has been filed for condonation of delay of 243 days in preferring the Writ Appeal.

3. Heard Mr. Biplab Mohanty, learned Additional Government Advocate appearing for the Appellants.

4. It appears that the appeal suffers from delay and laches. Further, it appears that sufficient cause has not been shown to condone the delay of 243 days in preferring the writ appeal. That apart, no due diligence has been indicated in the petition in preferring the writ appeal.

5. In the above view of the matter, this Court is not inclined to entertain the writ appeal at this belated stage, as the same suffers from delay and laches, in view of the judgment/order of this Court in the case of ***State of Odisha v. Surama Manjari Das*** (W.P.(C) No. 15763 of 2021 dismissed on 16.07.2021), which has been confirmed by the apex Court, vide order dated 05.04.2023 in S.L.P.(C) Diary No. 9259 of 2023.

6. Accordingly, the interlocutory application merits no consideration and the same is hereby dismissed. Consequentially, the writ appeal is also dismissed.

(DR. B.R. SARANGI)
ACTING CHIEF JUSTICE

(M.S. RAMAN)
JUDGE

Aswini



Signature Not Verified
Digitally Signed
Signed by: ASWINI KUMAR SETHY
Designation: PA(SECRETARY-IN-CHARGE)
Reason: Authentication
Location: ORISSA HIGH COURT, CUTTACK
Date: 01-Feb-2024 11:58:36