IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.3085 of 2023

Lalu Prasad Gouda	…..	***Appellant***
		Mr. S.K. Dash, Advocate
	Vs.	
State of Odisha & others	…..	***Respondents***
		State Counsel
		Ms. Babita Kumari Pattnaik,
		Advocate (for Respondent No.5)

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

ORDER
05.02.2024
I.A. No.8878 of 2023

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

2. This application has been filed for condonation of delay of 118 days in preferring the Writ Appeal.

3. Heard.

4. As it appears, the order impugned has been passed on 21.07.2023 and the writ appeal has been filed on 18.12.2023 and in the meantime more than three months have passed. Therefore, the appeal suffers from delay and laches. Further, it appears that sufficient cause has not been shown to condone the delay of 118 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



MRS

Signature Not Verified
Digitally Signed
Signed by: MANORANJAN SAMAL
Designation: PERSONAL ASSISTANT
Reason: Authentication
Location: Orissa High Court, Cuttack
Date: 05-Feb-2024 16:37:04