IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 2034 of 2023

Laxmidhara Mantri ….. ***Petitioner***

Mr. Surendra Kumar Biswal, Advocate

-versus-

1. State of Odisha

2. Sri Chandan Kumar Sahu ….. ***Opposite Parties***

Mr. S.J. Mohanty, ASC

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

10.04.2026

Order No. (Through hybrid mode)

05. 1. This CRLMC has been filed challenging the order dated 27.03.2023 where the time petition of the Petitioner-accused has been rejected and the cross-examination of P.W.1 has been closed and the case posted to 20.04.2023 for argument.

2. Perusal of the order sheet reveals that on 01.05.2023, the notice had been issued to the Opposite Party No.2 and interim order had been granted and thereafter, the matter has been adjourned from time to time.

3. Office notes indicate that the A.D. has returned from Opposite Party No.2 after valid service in February, 2025, but perusal of the A.D. reveals that one Urmila Sahoo received the notice on behalf of the Opposite Party No.2.

4. Be that as it may, as the 1.C.C. case is of the year 2010 and is pending for all these years, I do not consider it necessary in the interest of justice to direct to issue of notice to the Opposite Party No.2 again, but considering the submission of the learned counsel for the Petitioner that before 27.03.2023 the Petitioner had prayed for and had been granted one adjournment for cross-examination of the

P.W.1 and on 27.03.2023, the counsel has filed petition for adjournment on the ground of reasonable and unavoidable circumstances.

5. Mr. Surendra Kumar Biswal, learned counsel for the Petitioner submits that the case is posted today for argument.

6. Since the reasons have not been stated nor the time petition has been annexed, no fault can be found in the impugned order. But considering the fact that the Petitioner is accused in the case and deserves an opportunity of hearing before the arguments are held, the CRLMC is disposed of directing that on the next date if the complainant is present, the Petitioner shall be given a chance to examine him and if the complainant is absent on that day, learned Court below will fix a short date, on which date, the Petitioner will be given a chance to cross-examine the complainant.

7. It is made clear that no further time shall be granted for cross-examining the complainant. Thereafter, if the Petitioner wants to adduce defence evidence, one chance shall be given to him for the same.

8. As the CRLMC is disposed of without hearing the complainant, liberty is granted to the complainant to approach this Court for variation/modification/ recall of this order, in case, relevant facts have been suppressed by the Petitioner.

9. Urgent certified copy of this order be granted on proper application.

(Savitri Ratho)
Judge

Signature Not Verified
Digitally Signed
Signed by: PUSPANJALI MOHAPATRA
Reason: Authentication
Location: Orissa High Court
Date: 17-Apr-2026 14:14:38