
(2022) 09 OHC CK 0012
In the Orissa High Court
Case No : Writ Petition (C) No.3433 Of 2020

Benadikta Digal

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 05-09-2022

Acts Referred:

Citation : (2022) 09 OHC CK 0012

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : P. C. Chhinchani, T. Pattanayak

Judgement

Arindam Sinha, J

1. Mr. Chhinchani, learned advocate appears on behalf of petitioner. He submits, his client is brother of the deceased, who died by reason of communal violence. He submits, pursuant to direction in order dated 29th July, 2022, additional affidavit has been filed to demonstrate that the deceased suffered injuries due to communal violence on 26th August, 2008. He was taken to hospital and thereafter referred to other hospitals. Unfortunately on 28th October, 2008, he died.

2. Mr. Pattanayak, learned advocate, Additional Standing Counsel appears on behalf of State. He submits, his instructions are that the deceased having had been discharged from hospital, thereafter again admitted and discharged, it cannot be said that he died of injury sustained in the communal violence.

3. State must file objection to the additional affidavit, for there to be adjudication on its contention. The affidavit will be accepted on adjourned date, upon advance copy served.

4. List on 19th September, 2022.

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