
(2023) 10 OHC CK 0070
In the Orissa High Court
Case No : Writ Appeal No. 566 Of 2023

State Of Odisha And Others

APPELLANT

Vs

Abhimanyu Mallick

RESPONDENT

Date of Decision : 11-10-2023

Acts Referred:

Citation : (2023) 10 OHC CK 0070

Hon'ble Judges : Dr. B.R. Sarangi, J; Murahari Sri Raman, J

Bench : Division Bench

Advocate : R.N. Mishra, Kunal Kumar Swain

Final Decision : Dismissed

Judgement

I.A. NO.1438 OF 2023

1. This matter is taken up by hybrid mode.
2. This application has been filed for condonation of delay of 210 days in preferring the Writ Appeal.
3. Heard Mr. R.N. Mishra, learned Addl. Government Advocate appearing for the State-Appellants and the learned counsel for respondent.
4. As it appears, the order impugned has been passed on 25.07.2022 and the writ appeal has been filed on 22.03.2023 and in the meantime more than seven months has passed. Therefore, the appeal suffers from delay and laches. Further, it appears that sufficient cause has not been shown to condone the delay of 210 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..

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