

(2023) 01 OHC CK 0148
In the Orissa High Court
Case No : Writ Appeal No. 159 Of 2020

State Of Odisha And Others

APPELLANT

Vs

Kumarmani Patel And Others

RESPONDENT

Date of Decision : 30-01-2023

Acts Referred:

Citation : (2023) 01 OHC CK 0148

Hon'ble Judges : Dr. S. Muralidhar, CJ; M.S.Raman, J

Bench : Division Bench

Advocate : M.K. Khuntia

Final Decision : Disposed Of

Judgement

I.A. No.281 of 2020

1. For the reasons stated therein, the application is allowed. The delay of 83 days in filing the writ appeal is condoned. The I.A. is accordingly disposed of.

W.A. No.159 of 2020

2. Despite service of notice, none appears on behalf of Respondent Nos.1 and 2.

3. It is seen from the impugned order that the writ petition of Respondent No.1 was disposed of from the very first date without any opportunity to the Appellants to file any reply on merits. On that short ground the impugned order is set aside and the writ petition i.e. W.P.(C) No.21337 of 2019 is restored to the file of roster Bench of the learned Single Judge where it will be listed on 10th April, 2023. The present Appellants will file its para-wise reply/counter affidavit to the writ petition positively on or before 27th March, 2023 and no further time will be granted for that purpose.

4. The writ Petitioner would file their rejoinder affidavit before the next date i.e. 10th April, 2023. The learned Single Judge is requested to proceed with the hearing on merits and dispose of the writ petition as expeditiously as possible.

5. The writ appeal is disposed of in the above terms.

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