

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRA No.219 of 1992

Sitaram Jena and others

Appellants

Mr. M.R. Mohanty, Advocate

-versus-

State of Orissa

....

Respondents

Mr. T.K. Praharaj, Standing Counsel

CORAM:

MR. JUSTICE A.C. BEHERA

ORDER

29.09.2023

Order No.

09.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This appeal was posted today for hearing.
3. It appears from the cause-title of the appeal memo that the appeal against the appellant No.3-Panchanan Jena and appellant No.5-Bhima Jena has already been abated vide order dated 30.07.2019 as per Section 394, Cr.P.C. due to their death during pendency of this appeal.
4. Today, the learned counsel for the State submitted through a written memo that, the appellant No.2-Madhusudan Jena and appellant No.8-Pratap Chandra Jena @ Kati have also expired in the meanwhile.
5. So, on the basis of the aforesaid memo as well as submissions of the learned Standing Counsel for the State, the appeal is abated against the appellant No.2-Madhusudan Jena, appellant No.8-Pratap

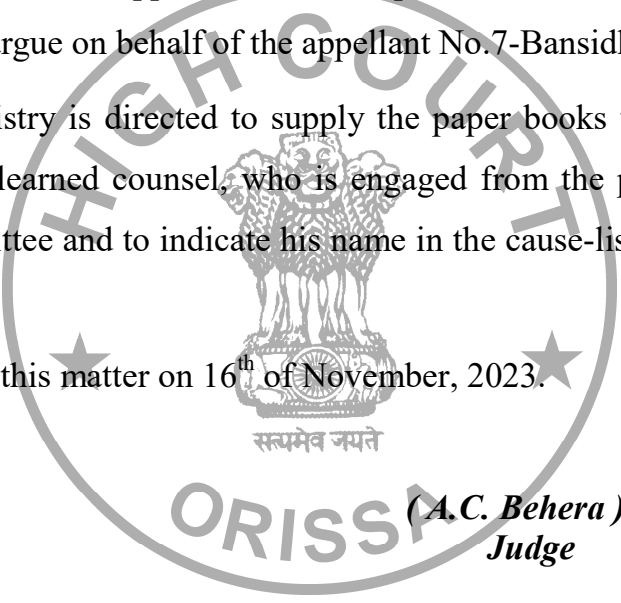
Chandra Jena @ Kati for their respective deaths as per under Section 394 of the Cr.P.C.

6. Registry is directed to carry out this order indicating the same against their respective names in the cause-title of the appeal memo as abated.

7. Mr. M.K. Mohanty, has engaged as counsel on behalf of the appellant No.1-Sitaram Jena, appellant No.4-Birendra Jena and appellant No.6-Bangiri Jena. But, none has appeared on behalf of the appellant No.7-Bansidhar Jena. For which, Mr. Sougat Dash, the learned counsel be appointed from the panel of OHC LSC as Amicus Curiae to argue on behalf of the appellant No.7-Bansidhar Jena.

8. Registry is directed to supply the paper books to Mr. Sougat Dash, the learned counsel, who is engaged from the panel of OHC LS Committee and to indicate his name in the cause-list as well as in the brief.

9. List this matter on 16th of November, 2023.

The seal of the Orissa High Court is a circular emblem. It features the Ashoka Lion Capital in the center, with the motto 'सत्यमेव जयते' (Satyameva Jayate) in Devanagari script below it. The words 'HIGH COURT' are written in an arc at the top, and 'ORISSA' is written in an arc at the bottom. Two stars are positioned on either side of the central emblem.
(A.C. Behera)
Judge