



IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No.38 of 2026

Basanta Kumar Pallai

.....

Appellant

Represented by Adv. -
Sourav Suman Bhuyan

-versus-

1) Collector, Ganjam

.....

Respondents

2) Tahasildar, Ganjam
3) Settlement Officer, Berhampur

Represented By Adv. -

CORAM:

MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

08.05.2026

I.A. No.121/2026

Order No.

01. 1. This matter is taken up through hybrid mode.

2. This I.A. has been filed by the petitioner under Section 5 of the Indian Limitation Act, 1963 praying for condonation of delay of 282 days in preferring the 2nd Appeal vide R.S.A. No.38/2026 on personal health ground of the petitioner.

3. Heard learned counsel for the petitioner and the learned Standing Counsel for the State.

4. When the petitioner is eagerly interested for hearing of the 2nd Appeal vide R.S.A. No.38 of 2026 filed by him (petitioner) on merit and the purpose and object of the CPC, 1908 is to enable both the parties to get opportunity of hearing on merit instead of dismissing of the suit or proceeding on any mere technical ground and when the above delay in preferring the 2nd Appeal vide R.S.A. No.38/2026 is unintentional, then, at this juncture, the ends of justice



shall bestly be served, if this I.A. under Section 5 of the Indian Limitation Act, 1963 shall be allowed subject to deposit of cost of Rs.5,000/- (rupees five thousand only) by the petitioner to the High Court Bar Association Welfare Fund.

5. Therefore, the petitioner is directed to deposit cost of Rs.5,000/- (rupees five thousand only) to the High Court Bar Association Welfare Fund within 15 working days.

6. As such, this I.A. is disposed of finally making it clear that, if within 15 days, no receipt regarding the deposit of cost Rs.5,000/- shall be filed by the petitioner, this Order relating to the condonation of delay passed in this I.A. shall be terminated automatically.

7. After filing of the receipt regarding the deposit of cost Rs.5,000/- necessary order shall be passed in R.S.A. No.38/2026.

(ANANDA CHANDRA BEHERA)
Judge

Rati Ranjan

Signature Not Verified

Digitally Signed
Signed by: RATI RANJAN NAYAK
Reason: Authentication
Location: OHC
Date: 12-May-2026 09:57:45

