



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 163 of 2026

State of Odisha and others

....

Appellants

Mr. Saswat Das, Additional Government Advocate

-versus-

Hiranya Kumar Samal and others

....

Respondents

Mr. Budhadev Routray, Senior Advocate assisted by

Mr. Shakti Sekhar, Advocate for Respondent Nos.32, 55 & 56

Mr. Som Sekhar Rath, Advocate for Respondent
Nos.16, 18, 23, 51 & 61

CORAM:

HON'BLE THE CHIEF JUSTICE

AND

HON'BLE MR JUSTICE MURAHARI SRI RAMAN

ORDER

30.06.2026

Order No.

02.

I.A. No.409 of 2026 and W.A. No.163 of 2026

1. We have seen the office note pertaining to the service sought to be effected upon the respondents. Some of the respondents have entered appearance viz., Mr. Budhadev Routray, learned Senior Counsel assisted by Mr. Shakti Sekhar, learned counsel for the respondent Nos.32, 55 & 56 and Mr. Som Sekhar Rath, learned counsel for the respondent Nos.16, 18, 23, 51 & 61.

2. The postal articles sent to the other respondents, either returned with a remark "incomplete address" or "no such person found in the address" or "the addressee left the place without any intimation".

3. So far as the respondent No.24 is concerned, neither the acknowledgement due nor the postal article has come back to the



Office. Since the service in respect of the respondent No.24 has been effected long, we, thus, presume the service to have been effected upon him.

4. So far as the other respondents, where the attempt was made to serve the copy of the instant application are concerned, we noticed that they joined together with the other respondents who are appearing before us in the writ petition and they were represented by a common lawyer. Since they were pursuing their remedy, which is joint and common to the other writ petitioners, we need not wait for further service to be effected, as we find that the delay in filing the instant appeal is negligible.

5. Considering the explanation offered in the instant application and upon hearing the submissions of the learned counsels appearing for the respective parties, we find that the same constitutes sufficient cause. Hence, the delay in filing the instant appeal is, hereby, condoned.

6. The application is, thus, allowed.

7. Let the instant appeal be listed along with W.A. No.416 of 2026 on 6th July, 2026 under the heading "for Admission".

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge