



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.589 of 2025

State of Odisha and others

....

Appellants

Represented by Adv.–
Mr. Jayanta Kumar Bal, AGA

-Versus -

Bansidhar Bariki

....

Respondent

Represented by Adv.–
Mr. Srinivas Mohanty, Advocate

CORAM:

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

AND

HON'BLE MR. JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

04.12.2025

(Hybrid mode)

Order No.

02.

I.A. No.1461 of 2025

1. The I.A. has been filed for dispensing with filing of certified copy of the impugned order dated 20.11.2024 passed in W.P.(C) No.2265 of 2023.

Since it is an intra Court appeal, the records of the writ petition along with the order is made available for reference.

2. The I.A. is favoured and disposed of.

I.A. No. 1462 of 2025

3. I.A. has been filed for condonation of reported delay of 81 days in filing the appeal.

4. Heard learned AGA for the appellants. He refers to the grounds stated in the I.A. supported by affidavit particularly paragraphs 2 to 6 to submit that sufficient causes have been shown for condonation of delay.



5. It is submitted that the matter involves financial implication for the State and if delay is not condoned and the matter is not considered on merits, the appellants have been highly prejudiced. He refers to the judgments of the Hon'ble Supreme Court in *SLP(C) No. 11443 of 2023 : (State of Odisha and others v. Nikunja Kishore Panigrahi) decided on 21.11.2023*, *SLP(C) No.9008 of 2024 : (State of Odisha and others v. Madhurima Panigrahi) decided on 10.09.2024*, *SLP(C) No.25180 of 2024 : (State of Odisha and others v. Prasanna Kumar Jena and others) decided on 14.02.2025*, *SLP(C) No.2146 of 2024: (State of Odisha v. Sudhansu Sekhar Jena) decided on 21.02.2025 : 2025 INSC 259: 2025 SCC Online SC 385, SLP(Civil) No. 23039 of 2024: (State of Odisha v. Ajaya Kumar Bhoi) decided on 19.03.2025*, *SLP(Civil) No. 15194 of 2024: (State of Odisha v. Shantilata Swain) decided on 21.07.2025* and *SLP(C) No.13762 of 2024: (State of Odisha v. Bhikari Prusty) decided on 15.10.2024* and submits that more than 600 SLPs. have been allowed by the Hon'ble Supreme Court in all the cases delay in filing the writ appeal has been condoned directing this Court to take up the matter and hear on merits.
6. The learned counsel for the respondent vehemently opposes the prayer for condonation of delay. He submits that the causes shown explaining the delay are too frugal to be accepted.
7. Having heard learned AGA for the appellants-State as well as the learned counsel for the respondent, we condone the delay of 81 days in filing the appeal. Condonation of delay would not add any further lead to the case of the appellants-State.
8. The I.A. is favoured and disposed of.



W.A. No.589 of 2025

9. Heard learned Additional Government Advocate for the appellants-State.

Issue notice.

Since Mr. Srinivas Mohanty and associates, learned advocates have already entered appearance on behalf of the respondent, no further notice be issued to the respondent. Copy of the appeal memo along with I.A. shall be served on the learned counsel for the respondent within three working days.

10. List for admission on 22nd January, 2026.

I.A. No. 1463 of 2025

11. Heard learned AGA for the appellants-State.

Issue notice.

Since Mr. Srinivas Mohanty and associates, learned advocates have already entered appearance on behalf of the respondent, no further notice be issued to the respondent.

12. As an interim measure, it is directed there shall be stay operation of the order dated 20.11.2024 in W.P.(C) No.2265 of 2023 till the next date of hearing.

(Manash Ranjan Pathak)
Judge

(Mruganka Sekhar Sahoo)
Judge

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