



IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.292 of 2019

The State of Odisha and another

Appellants

Represented By Adv. –
Mr. Aurobinda Mohanty,
ASC

-versus-

***Pratap Kumar Behera and
another***

Respondents

Represented By Adv. –

Mr. Sushanta Kumar
Mishra

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA
ORDER
29.04.2026

Order No. **I.A No.296 of 2019**

03. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Parties.
3. This is an application for condonation of delay of 128 days in filing the appeal.
4. Learned counsel for the Respondent No.1 vehemently opposed the prayer for condonation of delay.
5. Taking into consideration the grounds taken in the petition for condonation of delay, this Court is inclined to condone the delay subject to payment of cost of Rs.2,500/- (Rupees two thousand five hundred) to be paid before the Juvenile Justice Fund managed by the Member Secretary, Odisha State Legal Services Authority.



6. Accordingly, the I.A stands disposed of.

FAO No.292 of 2019

7. Heard learned counsel appearing for the parties.

8. It is contended by the learned counsel appearing for the Parties that the issue involved in the present appeal is covered by the judgment of this Court so passed on 19.03.2025 in FAO No.509 of 2014 and batch which was eventually confirmed by the Hon'ble Supreme Court in SLP (C) No.6943 of 2026 vide order dated 25.03.2026.

9. In view of such submissions made by the learned counsel appearing for the parties, the present FAO is disposed of in the light of judgment so passed in FAO No.509 of 2014 and batch, subject to the verification of the fact that the Petitioner's case is covered by the ratio laid down by this Court in FAO No.509 of 2014, and that the ratio laid down in FAO No.509 of 2014, which was eventually upheld by the Hon'ble Supreme Court, shall apply to the facts of the Petitioner's case.

(A.K. Mohapatra)
Judge

Debasis