



IN THE HIGH COURT OF ORISSA AT CUTTACK

WA No. 487 of 2024

State of Odisha and others

....

Appellants

Represented By Adv.-
Mr. Subha Bikash Panda,
Additional Government Advocate

-versus-

Tanmay Kumar Sahoo and others

....

Respondents

Represented By Adv. –
Mr. Ramakanta Sahoo, Advocate

CORAM:

**JUSTICE DIXIT KRISHNA SHRIPAD
JUSTICE MRUGANKA SEKHAR SAHOO**

ORDER

22.07.2025

**Order No.
02.**

I.A. No. 1221 of 2024

1. State appeal is filed after brooking a long delay of 800 and odd days. An application supported by affidavit accompanies appeal memo seeking its condonation.
2. Objections are also filed to the said application by the respondent-teacher. Learned counsel appearing for the respondent vehemently opposes the delay contending that explanation is not plausible and delay is too long to be condoned.
3. Having heard learned counsel for the parties and having perused the appeal papers, we are of the considered opinion that



delay in matters like this should be viewed leniently, State being the appellant. We have also knowledge of apex Court decision in SLP(C) No.2146 of 2024 (**State of Odisha v. Sudhansu Sekhar Jena**) decided on 21.02.2025 wherein long delay having been condoned, matter has been remitted to this Court for consideration afresh on merits. Condonation of delay would not add merits of the appeal to the disadvantage of the other side. On the other hand appeal will be heard on its intrinsic merit with no prejudice to any one. Much older matters than this have been stacked in Court cupboards.

4. Application being favoured, delay is condoned subject to the condition that the State shall pay ₹1000/- to each of the respondents within three weeks. I.A. stands disposed of.

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5. Call this matter on 13.08.2025.

(Dixit Krishna Shripad)
Judge

(Mruganka Sekhar Sahoo)
Judge