



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.236 of 2018

Gouri Dei

.....

Appellant

Represented By Adv. –
Mr. S.P Mishra, Sr.
Advocate

-Versus-

Pravakar Panda & Another

.....

Respondents

Represented By Adv. –
Mr. D.P Mohanty,
Advocate

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
31.03.2026

Order No.

04. 1. This matter is taken up through hybrid mode.
2. The learned counsels of both the sides are present.
3. Though, the learned senior counsel for the appellant submitted that, this 2nd appeal has already been admitted vide order No.3 dated 25.08.2023, but, no specific order has been passed regarding the condonation of delay in I.A. No.482 of 2018 under Section 5 of the Indian Limitation Act, 1963.
4. When, this 2nd appeal has already been admitted vide order No.3 dated 25.08.2023, then, it pre-supposes about the condonation of delay. Because, without condoning delay, question of admission of appeal does not arise.
5. When, this 2nd appeal has already been admitted, then, it will be held that, there is condonation of delay.



6. So, no specific order is required to be passed in disposing I.A. No.483 of 2018, because, as per law I.A. No.482 of 2018 is deemed to have been disposed of.

8. Therefore, this 2nd appeal be listed along with RSA No.389 of 2016 for hearing.

9. Due to passing of the above order for hearing, the I.A. No.484 of 2018 is disposed of having become infructuous.

(ANANDA CHANDRA BEHERA)
Judge

Nitu