



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.12733 of 2020

Anvesh Panda and Another **Petitioners**
Mr. S.K. Mishra, Sr. Advocate
along with Ms. P.S. Mohanty, Advocate
-versus-

Union of India, represented by the
Secretary, Ministry of External Affairs,
New Delhi and Others **Opposite Parties**
Mr. D. Nayak, AGA
Mr. D. Gochhayat, CGC
Mr. S.K. Gadanayak, counsel for O.P.5 & 6

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
27.2.2026

Order No.

06. 1. Heard Mr. S.K. Mishra, learned senior counsel for the petitioner, Mr. D. Gochhayat, learned CGC for Union of India (O.P. No.1), Mr. S.K. Gadanayak, learned counsel for opposite parties 5 and 6 and Mr. D. Nayak, learned AGA for State – opposite parties 7 and 8.
2. The petitioners have prayed for a direction to the opposite parties to handover the ashes and mortal remains, death certificate and other belongings / documents of late Anil Kumar Panda to them.
3. In course of hearing it is submitted by Mr. Mishra, learned senior counsel that in the criminal proceeding which reached to this court in CRLMC No.4720 of 2024 between petitioners and the parents of deceased, a mediation took place and as per the agreement arrived by the parties before the Mediator, the mother and father of the deceased (Late Anil Kumar Panda) have agreed for handing over the mortal remains, death certificate and other articles of the deceased to



be received by present petitioner no.2, who is the wife of late Anil Kumar Panda. In this regard an authenticated copy of the report of the Mediator dated 7th July, 2025 is produced along with the certified copy of order dated 5th December, 2025 passed in CRLMC No.4720 of 2024. The copies of the order and report are kept on record. Clause (ii) of the Mediation Report, as it is agreed between the private parties during the mediation, reads as follows:-

“ii. The mortal remains, death certificate and other articles of Late Anil Kumar Panda which is kept in Indian Embassy of Indonesia will be received by the Opposite Party No.2. The Opp. Party No.2 will provide photostat copy of documents received by her including death certificate to Sri Antaryami Panda, Petitioner No.1. Both the parties agree to take steps for disposal of W.P.(C) No.12733/2020 in terms of this compromise.”

4. Further, relevant portion of order dated 5th December, 2025 of this court passed in CRLMC No.4720 of 2024 reads as under:-

“8. On perusal of record it appears that this Court vide order dated 12.03.2025 with the consent of the Parties had sent the matter to the High Court Mediation Centre for an amicable resolution of the dispute. Upon conclusion of such mediation proceeding a report of the learned mediator has been received by this Court dated 07.07.2025. On perusal of the report of the mediator dated 07.07.2025 it is evident that the mediation proceeding has become successful and that the parties have amicably resolved the dispute subject to the terms and conditions, which were filed in the shape of a memo before the learned mediator. Such terms and conditions, which were



filed in the shape of memo also form a part of the report of the mediator dated 07.07.2025.

9. In view of the aforesaid subsequent development and further taking into consideration the report of the mediator dated 07.07.2025 as well as the terms and conditions which are attached to the mediation report, this Court has no hesitation in coming to conclusion that the matter has been amicably resolved on such terms and conditions which have been duly recorded by the learned mediator in his report dated 07.07.2025. Moreover, Opposite Party No.2 represented by his lawyer stated before this Court that she is no more interested in continuing further in the present criminal proceeding and that she will have no objection if the entire proceeding is quashed. Such fact has also been brought on record by filing an affidavit before this Court.

10. In view of the aforesaid position, this Court is of the view that the present case is a fit case where this Court can exercise its inherent power to quash the criminal proceeding, particularly keeping in view the nature of the dispute involved. Accordingly, in terms of the settlement dated 07.07.2025, the pending criminal proceeding in G.R. Case No.2157 of 2024 is hereby quashed. Further, it is made clear that in case of failure by the parties to abide by the terms and conditions agreed before the learned mediator, which has been reduced to writing and signed by the Party it will be open to the Party who suffers due to noncompliance of the other party to take recourse of law.”

5. Mr. Gadanayak, learned counsel for opposite parties 5 and 6 also agrees before this court that he has no objection with regard to such report of the mediation and regarding handing over of mortal



remains of late Anil Kumar Panda along with other documents to the petitioners.

6. Accordingly this court disposes of the writ petition with a direction to opposite parties 1 to 4 to take necessary steps for handing over the mortal remains (ashes) along with the death certificate, other belongings and documents of late Anil Kumar panda to Petitioner No.2 (Smt. Sunanda Padhy) within a reasonable period.

7. An urgent certified copy of this order be issued on proper application.

(B.P. Routray)
Judge

M.K.Panda