



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.13452 of 2025**

***Krushna Chandra Naik***

....

***Petitioner***

*Mr. H.K. Mohanta, Advocate*

*-versus-*

***State of Odisha & others***

....

***Opp. Parties***

*Mr. Bibekananda Nayak,*

*Additional Government Advocate*

**CORAM:**

**JUSTICE K.R. MOHAPATRA**

**JUSTICE SANJAY KUMAR MISHRA**

**ORDER**

**23.02.2026**

**Order No.**

- 04.
1. This matter is taken up through hybrid mode.
  2. Mr. Nayak, learned Additional Government Advocate prays for further adjournment to file Counter Affidavit.
  3. It appears from the order sheet that repeated adjournments are being taken by learned State Counsel to take instruction and file Counter Affidavit. Thus, while entertaining the prayer made by learned State Counsel on 22.12.2025 for adjournment to file Counter Affidavit, this Court has made it clear that if the Counter Affidavit is not filed within a period of three weeks from that date, the Court will proceed with the matter without waiting for filing of the Counter Affidavit.
  4. Mr. Nayak, learned Additional Government Advocate submits that he has received instruction, but it will take some time to prepare the Counter Affidavit and file. It is further



submitted that for just adjudication of the case, a Counter Affidavit is required to be filed.

5. Considering such prayer, this Court grants two weeks' further time to the learned State Counsel to file Counter Affidavit, subject to payment of costs of Rs.5,000/- to the welfare fund of the Orissa High Court Bar Association by the next date.

6. Put up this matter on 16<sup>th</sup> March, 2026, along with the Counter Affidavit, if any, filed in the meantime.

***(K.R. Mohapatra)***  
***Judge***

***(S.K. Mishra)***  
***Judge***

*Mona*