



IN THE HIGH COURT OF ORISSA AT CUTTACK
RVWPET No.158 of 2025
CNR No.ODHC010360752025

Union of India and others *Petitioners*

*Mr. B.B. Mishra, Sr. Panel Counsel,
Govt. of India*

-versus-

Golaka Bihari Malla and another *Opposite Parties*

Mr. P. Anup Dash, Advocate (OP-1)

CORAM:

DR. JUSTICE S.K. PANIGRAHI

MR JUSTICE G. SATAPATHY

ORDER

13.08.2026

Order No.

05. **IA No.219 of 2025 & RVWPET No.158 of 2025**

1. This matter is taken up through hybrid arrangement.
2. Heard Mr. Bibhuti Bhusan Mishra, learned Senior Panel Counsel, Govt. of India appearing for the petitioners and Mr. P. Anup Dash, learned counsel for the Opposite Party No.1.
3. IA No.219 of 2025 has been filed for condonation of delay of 304 days in filing the RVWPET.
4. On perusal of the application under Section 5 of the Limitation Act seeking condonation of delay in filing the RVWPET, it is found that the application does not disclose any explanation for such long delay in filing the RVWPET. In similar circumstances, it has been held by the Hon'ble Supreme Court in *Office of the Chief Post Master General & Ors. -vrs.- Living Media India Ltd. & Anr. : 2012 AIR SCW 1812:*



“13. In our view, it is the right time to inform all the Government bodies, their agencies and instrumentalities that unless they have reasonable and acceptable explanation for the delay and there was bona fide effort, there is no need to accept the usual explanation that the file was kept pending for several months/years due to considerable degree of procedural red-tape in the process. The Government departments are under a special obligation to ensure that they perform their duties with diligence and commitment. Condonation of delay is an exception and should not be used as an anticipated benefit for Government departments. The law shelters everyone under the same light and should not be swirled for the benefit of a few. Considering the fact that there was no proper explanation offered by the Department for the delay except mentioning of various dates, according to us, the Department has miserably failed to give any acceptable and cogent reasons sufficient to condone such a huge delay. Accordingly, the appeals are liable to be dismissed on the ground of delay.”

5. In absence of any explanation for inordinate delay of 304 days in filing the RVWPET, there is no scope to hold that the petitioners have shown any cause, much less sufficient cause which prevented them from filing the RVWPET in time.

6. Therefore, the IA for condonation of delay being devoid of merit is dismissed. Consequently, the RVWPET stands dismissed as being barred by limitation.

(Dr.S.K.Panigrahi)
Judge

(G.Satapathy)
Judge