



IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No. 54 of 2021

Purandar Lohar and Others

....

Appellants

Represented by

Mr. B.B. Routray, Advocate

-Versus -

Bahadur Lohar and Others

....

Respondents

Represented by

Mr.B.P. Dash, Advocate

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.07.2024

Order No.

7.

1. This matter is taken up through hybrid mode.
2. As directed, Sri Ramalal Lohar (appellant No.3) is present in person in Court.
3. Mr. B.S. Panigrahi submits that he has no objection, if the appellant No.3 is permitted to engage any other counsel.
4. The name of Mr. B.S. Panigrahi be deleted from the cause list.
5. The personal appearance of Sri Ramalal Lohar is dispensed with.
5. List this matter in the week commencing 12th August, 2024 under the Heading "Admission".

(Sashikanta Mishra)

Judge

I.A. No. 287 of 2021

Order No.

8.

- 1 This is an application for condonation of delay.
2. The S.R has pointed out a delay of 418 days in filing of the appeal. It is stated that disposal of the first appeal was not within the knowledge of the contesting appellants and thereafter, the COVID-19



Pandemic appeared for which necessary steps could not be taken to further challenge the impugned order. After coming to know about passing of the impugned judgment and when the situation arising out of the COVID-19 Pandemic normalized, the appellants contacted their lawyer and accordingly, the appeal was filed. In the process, delay has occasioned which is neither willful nor deliberate but entirely due to genuine and bonafide reasons.

3. Learned counsel appearing for the respondents though opposes the prayer for condonation of delay, he had fairly submits that the grounds cited for condonation of delay, i.e., prevalence of COVID-19 Pandemic can be considered by this Court and appropriate orders may be passed.

4. Considering the submissions as above and the grounds cited, this Court is inclined to accept the same. The I.A. is allowed. The delay in filing of the appeal is condoned subject to payment of cost of Rs.1000/- which shall be paid to the counsel appearing for the respondents and proof thereof be submitted before this Court.

4. The I.A. is disposed of.

(Sashikanta Mishra)
Judge