



IN THE HIGH COURT OF ORISSA AT CUTTACK

LAA No.17 of 2011

State of Orissa & anr. ***Appellants***

Mrs. U. Padhi, ASC

-versus-

Babaji Bag & ors. ***Respondents***

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

05.12.2024

I.A. Nos.413, 410 & 409 of 2024

Order No.

11.

This matter is taken up through hybrid mode.

2. These I.As have been filed by the Appellants to condone the delay, set aside the abatement of Appeal and for substitution of the legal heirs of the deceased-Respondent No.1.

3. In view of the stand taken in the I.As. so also submission made by the learned Counsel for the Appellants, delay in filing applications for setting aside abatement so also for substitution is condoned.

4. Accordingly, the applications for setting aside abatement and substitution are also allowed. The legal heirs of Respondent No.1 be substituted, as proposed in the schedule.

5. Accordingly, all the I.As. stand disposed of.

(S. K. MISHRA)
JUDGE



12.

I.A. Nos.414, 411 & 412 of 2024

1. These I.As have been filed by the Appellant to condone the delay, set aside the abatement of Appeal and for substitution of the legal heirs of the deceased-Respondent No.2.
2. In view of the stand taken in the I.As. so also submission made by the learned Counsel for the Appellants, delay in filing applications for setting aside abatement so also for substitution is condoned.
3. Accordingly, the applications for setting aside abatement and substitution are also allowed. The legal heirs of Respondent No.2 be substituted, as proposed in the schedule.
4. Accordingly, all the I.As. stand disposed of.

**(S. K. MISHRA)
JUDGE**

13.

**LAA No.17 of 2011 &
I.A No.66 of 2018**

1. Learned Counsel for the Appellants is directed to file the consolidated cause title of the Memorandum of Appeal so also requisites for issuance of notice to the substituted LRs of deceased Respondent Nos.1 & 2 by Registered/Speed Post with A.D. within a week hence.
2. On filing of requisites, notice be issued to the substituted legal heirs of the deceased Respondent Nos.1 & 2 on the question of limitation fixing a short returnable



date.

3. The matter be listed in the week commencing from 20th January, 2025.
4. Tracking report of notices issued to the substituted LR's of deceased Respondent Nos.1 & 2 be kept on record.

(S. K. MISHRA)
JUDGE

Banita