



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA No.605 of 2024

***Akhaya Kumar Nayak @
Maina Baba***

.....

Appellant

Represented By Adv. -
Ashesh Kumar Prusty

-versus-

State Of Odisha

.....

Respondent

Represented By Adv. –
Mr. U.C.Jena, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER

Order No.

20.08.2025

- 05.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard.
 3. Admit.
 4. Since TCR is available on record no further order is to be passed to call for the TCR.
 5. It is stated by the learned counsel for the Appellant that the Appellant is about 65 years and that his condition not good.
 6. Taking into consideration the aforesaid fact, the learned counsel for the State is directed to obtain health certificate of the appellant as well as custody certificate before this Court by the next date.
 7. List this matter in the week commencing 8th September, 2025.
 8. Although the order dated 31.08.2024 reveals that it was stated before this Court by Mr. S.S.Pradhan, learned AGA that informant has



already been noticed. However, Mr. U.C.Jena, learned ASC for the State contended that there is no confirmation with regard to the service of the notice of the informant.

9. On the prayer of learned counsel for the State he is granted ten days' time to obtain such confirmation.

I.A. No.1487 of 2024

10. This is an application for condonation of delay.

11. Heard learned counsel for the Appellant as well as learned counsel for the State.

12. Learned counsel for the Appellant at the outset contended that there exists a delay of 92 days in presenting the appeal before this Court. While explaining the aforesaid delay in presentation of the appeal, learned counsel for the Appellant contended that the Appellant is in custody, and is facing some difficulties arranging money for engagement the counsel. As a result of which there are some delay in presentation of the appeal.

13. Learned counsel for the state objected on the ground that the delay is not proper explained.

14. Having regard to the submissions made by the learned counsel for the Parties, further keeping in view the fact that the Appellant is in custody, the delay 92 days is hereby condoned.

15. Accordingly, I.A. stands disposed of.

(A.K. Mohapatra)

Judge

Rubi

Signature Not Verified

Digitally Signed
Signed by: RUBI BEHERA
Reason: Authentication
Location: OHC
Date: 22-Aug-2025 17:57:31

