



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMAPL No.224 of 2020

Saroj Kumar Tripathy **Petitioner**

Mr.D.K. Mohapatra, Advocate

-versus-

State of Odisha & Others **Opp. Parties**

Mr.Saroj Kumar Jee, AGA

CORAM:

JUSTICE DIXIT KRISHNA SHRIPAD

ORDER

13.08.2025

Order No.

02

CMAPL No.224/2020 & I.A. No.98/2020

Petitioner has filed this application seeking recall of a Co-ordinate Bench decision dated 15.10.2019 on the ground that the matter was disposed of without giving any opportunity of hearing to the petitioner and in several identical matters, the other Co-ordinate Benches have already favoured such application and therefore his application also should be met with the same treatment.

2. The application supported by an affidavit is also filed seeking condonation of delay in moving an application for recalling the order in question. No objections are filed to the said application. Some plausible explanation is offered and that suffices in condoning the delay for about nine months in filing the subject application.

Learned AGA is right in telling this Court that the delay being little long, it may not be condoned unconditionally.

3. Having heard learned counsel for the petitioner and the learned AGA for the opposing parties, the application for condonation of delay is favoured and delay is condoned subject to the petitioner presenting a copy of latest edition of the Indian Contract Act, 1872 by Pollock and Mulla to Madhusudan Library of Orissa High Court Bar Association within two weeks.

Accepting the contention of the learned counsel for the petitioner that a host of said orders have been recalled by plurality of Judges sitting singly, the main application seeking recall is favoured



and the Co-ordinate Bench order dated 15.10.2019 stands recalled;
as a consequence, FAO No.620 of 2019 is restored to the Board for
consideration on merits.

The CMAPL as well as the I.A. is accordingly disposed off.

(Dixit Krishna Shripad)
Judge

Basu

Signature Not Verified

Digitally Signed
Signed by: BASUDEV NAYAK
Designation: ASST. REGISTRAR-CUM-SR. SECRETARY
Reason: Authentication
Location: HIGH COURT OF ORISSA : CUTTACK
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