



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA No.657 of 2023

Khagapati Nayak

.....

Appellant

Represented By Adv. -
(m/s Sarbeswar Sahu)

-versus-

State Of Odisha

.....

Respondent

Represented By Adv. –
Ms. S.Nayak,

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

ORDER
12.08.2025

Order No.

05. 1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Appellant as well as learned counsel for the State. Perused the appeal memo as well as the impugned judgments.
3. On a verification of the record it is found that the petitioner has challenged the judgments passed by the learned Additional District & Sessions Judge-cum-Special Judge, Vigilance passed in Criminal Appeal No.09 of 2013, on 1st November, 2013 thereby dismissing the appeal and confirming the judgment dated 22.11.2012 passed by the learned Assistant Sessions Judge, Koraput, Jeypore in Criminal Trial No.41 of 2012.
4. In view of the aforesaid fact, it appears that the present



appeal is in the nature of the second appeal which is not permissible under the Cr.P.C. As such the office has rightly pointed out that the appellant should have preferred revision instead of the present appeal. At this juncture, learned counsel for the Appellant prayed for leave to convert the present appeal to a criminal revision.

5. Taking into consideration the aforesaid submission, registry is directed to re-register the present appeal as criminal revision.

6. Accordingly, the matter is placed before the assigned bench.

(Aditya Kumar Mohapatra)
Judge

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