



IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.786 of 2018

State of Odisha & Another

....

Appellants

Mr. P.K. Panda, ASC

-versus-

***Anuradha Mohanty &
Another***

....

Respondents

Mr. S.K. Rout, Adv.
(for Res. NO.1)

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
09.05.2025

Order No. **I.A. No. 396 of 2025**

- 3.** **1.** This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
- 2.** Heard learned counsel appearing for the parties.
- 3.** This is an application seeking condonation of delay in filing the application for recalling of order dt.16.10.2019.
- 4.** It is contended that on the very first date of its listing, the appeal was disposed of in the light of the order passed in the case of ***Anup Kumar Senapati and another.***
- 5.** It is contended that since without any notice and on the very first date of listing, the matter was disposed of, respondent had no knowledge about the said order. Only on verification, when the same came to the knowledge of the respondent, the present application for recalling of order dt.16.10.2019 was filed in I.A. No.395 of 2025 along with the present I.A seeking condonation of delay.



6. Learned Addl. Standing Counsel on the other hand contended that since in terms of the order dt.16.10.2019, the application has not been filed within a period of one month, the delay is liable to be condoned.

7. Having heard learned counsel for the parties, considering the submission made and taking into account the fact that the appeal was disposed of on the very first date of its listing without any notice to the respondent, this Court is inclined to condone the delay in filing the application for recalling of order dt.16.10.2019.

8. The I.A stands disposed of.

(Biraja Prasanna Satapathy)
Judge

4. **I.A. No.395 of 2025**

1. Heard learned counsel appearing for the Parties.
2. Considering the grounds taken, the order dtd. 16.10.2019 is hereby recalled by restoring the FAO to its file.
3. I.A. stands disposed of.

(Biraja Prasanna Satapathy)
Judge

5. **FAO NO.786 of 2018**

1. Heard.
2. Since certified copy of the impugned judgment has not yet been filed, basing on the request made by the learned Addl. Standing Counsel that the same will be filed by 30.05.2025, it is directed that certified copy of the impugned



judgment be filed on or before 30.05.2025 failing which the appeal shall stand dismissed without further reference to the Bench.

sangita

(Biraja Prasanna Satapathy)
Judge

Signature Not Verified

Digitally Signed
Signed by: SANGITA PATRA
Reason: authentication of order
Location: high court of orissa, cuttack
Date: 10-May-2025 16:24:39

