

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.1852 of 2023

State of Odisha and others *Appellants*
Mr. R.N. Mishra, A.G.A.
-versus-
Dr. Bhabani Shankar Sahoo and *Respondents*
another

CORAM:
ACTING CHIEF JUSTICE DR. B.R. SARANGI
JUSTICE MURAHARI SRI RAMAN

ORDER
13.11.2023

Order No.

01. **I. A. No.4998 of 2023 and W.A. No.1852 of 2023**

1. This matter is taken up through hybrid mode.
2. The above Interlocutory Application has been filed for condonation of delay of 425 days in filing the writ appeal.
3. As it appears, the judgment impugned has been passed on 10.05.2022, the writ appeal has been filed on 07.08.2023 and in the meantime, more than 425 days have passed. Therefore, the writ appeal suffers from delay and laches.
4. In that view of the matter, this Court is not inclined to entertain this writ appeal at this belated stage, as the writ appeal suffers from delay and laches, in view of the judgment/order of this Court in the case of *State of Odisha v. Surama Manjari Das* (in W.P.(C) No.15763 of 2021 dismissed on 16.07.2021), which has been

confirmed by the Apex Court in SLP (C) Diary No.9259 of 2023 vide order dated 05.04.2023.

5. Accordingly, the I.A. merits no consideration and the same is hereby dismissed. Consequently, the writ appeal is also dismissed.

(DR. B.R. SARANGI)
ACTING CHIEF JUSTICE

(M.S. RAMAN)
JUDGE

S.K. Guin

