

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1939 of 2023

Commissioner-cum-Secretary, Health ... Appellants
and Family Welfare Department,
Odisha and Others

Mr. R.N. Mishra, Addl. Govt. Advocate

-versus-

Dr. Satyapriya Naik and Another ... Respondents

CORAM:

ACTING CHIEF JUSTICE DR. B.R. SARANGI

MR. JUSTICE MURAHARI SRI RAMAN

ORDER

18.10.2023

Order No.

I.A. No.5247 of 2023 and W.A. No.1939 of 2023

01. 1. The above Interlocutory Application has been filed for condonation of delay of 432 days in filing the writ appeal.
2. As it appears, the judgment impugned has been passed on 06.05.2022, the writ appeal has been filed on 11.08.2023 and in the meantime, more than 432 days have passed. Therefore, the writ appeal suffers from delay and laches.
3. 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 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 02.03.2023.

4. Accordingly, the I.A. and the writ appeal merit no consideration and the same are hereby dismissed.

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

(M.S. RAMAN)
JUDGE

SK Jena/Secy.



Signature Not Verified

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Signed by: SANJAY KUMAR JENA
Designation: SECRETARY
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 18-Oct-2023 17:02:34

