



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMAPL No.287 OF 2025

*Shiva Narayan Rahana and another* .... *Petitioners*

*Mr. Abhas Mohanty,, Advocate*  
-versus-

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

*Mr. Bibekanananda Nayak,*  
*Additional Government Advocate*

**CORAM:**  
**JUSTICE K.R. MOHAPATRA**  
**JUSTICE SANJAY KUMAR MISHRA**

**ORDER**  
**31.03.2026**

**Order No.**  
06.

1. This matter is taken up through hybrid mode.
2. This CMAPL has been filed to recall the order dated 28.03.2018 passed in O.J.C. No.13547 of 2000, whereby, the writ petition was dismissed for non-prosecution.
3. Mr. Mohanty, learned Counsel for the Petitioners submits that the writ petition was listed on 28.03.2018. But due to the non-appearance of learned Counsel for the Petitioners, the same was dismissed for non-prosecution. It is his submission that the predecessor of the Petitioners, who was looking after the case died on 16.02.2024, leaving behind the present Petitioners as the legal heirs. The death certificate of the predecessor and his legal heir certificate have been annexed to the CMAPL as Annexure-2 series.
4. Mr. Mohanty, learned Counsel for the Petitioners, therefore, submits that the order dismissing the writ petition may be recalled. The Petitioners had no knowledge of dismissal of the



writ petition. As such, the order dated 28.03.2018 be recalled and the writ petition be restored to file.

5. Mr. Nayak, learned Additional Government Advocate does not have any objection to the prayer made by Mr. Mohanty, learned Counsel for the Petitioners.

6. In view of the above, the order dated 28.03.2018 passed in O.J.C. No.13547 of 2000 is recalled and the O.J.C. is restored to file.

7. The CMAPL is disposed of.

***(K.R. Mohapatra)***  
***Judge***

***(S.K. Mishra)***  
***Judge***

*Banita*