



IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.502 of 2024

Khagendra Nath Mohanta

.....

Appellant

Represented By Adv. –
Mr. Subhadutta Routray

-versus-

State of Odisha and others

.....

Respondents

Represented By Adv. –

Mr. Aurobinda Nayak

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

29.04.2026

Order No.

I.A. No.908 of 2024

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This interlocutory application has been filed by the Appellant with a prayer for condonation of delay of 1988 days in presenting of the First Appeal.
3. Heard the learned counsel for the Appellant as well as the learned counsel for the State-Respondents.
4. Learned counsel for the Appellant, at the outset, contended before this Court that the G.I.A. Case No.316 of 2016, which was filed by the Petitioner before the learned State Education Tribunal, was disposed of vide order dated 01.03.2019 by concluding that the college in question does not qualify to be an Aided Educational Institution in terms of the Grant-in-Aid Order, 1994. Learned counsel for the Appellant, at the outset, contended that in view of the latest judgment of this Court,



which was affirmed by the Hon'ble Supreme Court, the case of the Petitioner is required to be relooked by this Court in terms of the ratio laid down by a coordinate Bench of this Court eventually uphold by the Hon'ble Supreme Court.

5. Learned counsel for the State, on the other hand, contended that the explanation given in the Interlocutory Application for condonation of delay is not sufficient and, as such, the delay should not be contained.

6. Having regard to the submissions made by the learned counsels appearing for the parties and on a careful examination of the grounds taken in the Interlocutory Application, further taking note of the fact that recently the law has been changed in view of the pronouncement by this Court which was affirmed by the Hon'ble Supreme Court, this Court is inclined to condone the delay subject to Petitioner deposit a cost of Rs.2,000/- to the Juvenile Justice Fund managed by the Member Secretary, Odisha State Legal Services Authority.

7. Accordingly, I.A. stands allowed.

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8. Subject to payment of the cost as has been directed, the appeal be listed for admission in the week commencing 22nd June, 2026.

(A.K. Mohapatra)
Judge

Debasis