



IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No. 453 of 2024

Abhimanyu Das

....

Appellant

*Represented by
Mr. L. Samantaray,
Advocate*

-Versus -

Krushna Das and Others

....

Respondents

Represented by

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

07.04.2025

I.A. No. 1388 of 2024

Order No.

2.

1. This matter is taken up through hybrid mode.
2. This is an application for condonation of delay in filing of the appeal.
3. Office has pointed out 189 days as the period of delay. It is stated that after pronouncement of the judgment by the lower appellate Court, the appellant contacted his lawyer, collected the certified copies of the trial court judgment as well as the lower appellate Court judgment and other related documents. He thereafter proceeded to Cuttack and handed over the file to the conducting counsel. Further, he being an old man aged about 70 years and suffering from several ailments, could not take the necessary steps with promptitude. As such, there has been delay, which is neither willful nor deliberate.



4. Mr. S.K. Pradhan, learned counsel appearing for the respondent No.1 opposes the prayer for condonation of delay on the ground that the explanation submitted by the appellant is not believable.

5. Considering the submissions and on going through the petition, this Court is of the view that sufficient reasons have been cited by the appellant to explain the delay. The delay is therefore condoned subject to the condition that the appellant shall donate a book on any legal topic of his choice to the Orissa High Court Bar Association Library within a week and file a receipt before this Court.

6. The I.A. is disposed of.

(Sashikanta Mishra)
Judge

RSA No. 453 of 2024

Order No.
2.

1. Mr. S.K. Pradhan has entered appearance for respondent No.1, though notice is sufficient on respondent Nos. 2 and 3. There is no appearance.
2. List this matter in the week commencing 29th April, 2025 for admission.

(Sashikanta Mishra)
Judge

B.C. Tudu

Signature Not Verified

Digitally Signed
Signed by: BHIGAL CHANDRA TUDU
Reason: Authentication
Location: Orissa High Court, Cuttack
Date: 08-Apr-2025 20:01:07

