



IN THE HIGH COURT OF ORISSA AT CUTTACK

WA No. 2688 of 2023

State of Odisha and others

....

Appellants

Represented By-
Mr. P.K.Mohanty, ASC

-versus-

Aruna Kumar Padhy

....

Respondent

Represented By-
Mr. P.K. Mishra, Advocate

CORAM:

JUSTICE MANASH RANJAN PATHAK

JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

23.10.2025

(Hybrid Mode)

Order No.

05.

1. The matter has been listed before us as per order dated 23.09.2024 passed by the Hon'ble apex Court in SLP(C) No. 9533 of 2024 : State of Odisha v. Aruna Kumar Padhy. The apex Court allowing the SLP has observed thus :

- "1. Leave granted.
2. The office report dated 20.09.2024 indicates that service is complete. However, no one has entered appearance on behalf of the respondent(s).
3. Learned counsel for the appellants submits that the present matters can be disposed of in light of the order passed in SLP (Civil) No. 9008 of 2024 (The State of Odisha & Ors. v. Madhurima Panigrahi).
4. Considering that the Division Bench had not considered the merit of the State's Writ Appeal(s), we deem it appropriate to set aside the impugned judgment(s). The matters are remitted back to the Division Bench of the High Court so that a decision on merit on the State's challenge, can be rendered. Effort should be made for early disposal.



5. With the above, the appeals stand disposed of. Pending application(s), if any, shall stand closed.”

2. Learned counsel Mr. Mishra submits that the matter may be taken up for admission hearing.

I.A. No. 7874 of 2023

3. I.A. has been filed for dispensing with filing of certified copy of the order impugned. Since it is an intra court appeal, the records of W.P.(C) No.25821 of 2022 along with order dated 31.3.2025 shall be made available for reference.

4. I.A. is favoured and disposed of. Registry to do the needful.

I.A. No. 7875 of 2023

5. I.A. has been revived along with writ appeal in view of the order passed by the Hon’ble Supreme Court as quoted above.

6. The delay in filing the appeal has already been condoned by the orders of Hon’ble the Supreme Court as noted above.

Accordingly the I.A. is disposed of.

W.A. No. 2688 of 2023

7. The matter has been remitted back by the Apex Court with a direction to consider the matter on merit.

Admit.

Issue notice.

8. Since Mr. Mishra has already on record appearing for the respondent no further notice is issued.



Copy of the appeal memo along with all the documents have already been served on Mr. Mishra for the respondent.

I.A. No. 7876 of 2023

9. In the disposed of SLP Nos. 9533 and 9534 of 2024, following interim order dated 19.04.2024 was passed :

... ..
“7. In the meantime, the operation of order in WP(C) No. 25821 of 2022 and WP(C) No. 12125 of 2022 dated 31.03.2023 passed by the learned Single Judge of the High Court shall remain stayed.”
... ..

Ultimately SLP was allowed and the matter was remitted to the High Court to consider the matter on merits.

10. In view of the interim order that was granted in the SLP we direct the operation of the order dated 31.03.2023 passed by learned Single Judge in W.P.(C) No. 25821 of 2022 shall remain stayed.

11. List for admission on 2.12.2025. Liberty to +mention.

**(Manash Ranjan Pathak)
Judge**

**(Mruganka Sekhar Sahoo)
Judge**

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Signature Not Verified

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Reason: Authentication
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