



IN THE HIGH COURT OF ORISSA AT CUTTACK
GUAP No.22 of 2024

Siddhartha Swain

...

Appellant

Mr. S.Mohanty, Advocate

-versus-

Smitarani Singh @ Swain

...

Respondent

Mr. B.S. Das, Advocate

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
19.03.2025

Order No.
03.

I.A. No. 31 of 2024

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application U/S. 5 of the Limitation Act, 1963 by the appellant for condonation of delay of 173 days in preferring the appeal.
3. Heard, Mr. Samarendra Mohanty, learned counsel for the appellant and Mr. B.S. Das, learned counsel for the Respondent in the matter and perused the record. Mr. Mohanty by filing a memo submits that the appellant has already paid cost of Rs. 10,000/- in shape of demand draft dated 10.03.2025 to the OP-Smitarani Singh, to which Mr. Das acknowledges. The memo be kept on record.
4. In view of the aforesaid facts and after having considered the rival submissions and taking into consideration the payment of cost by the appellant, since there is a delay of 173 days in preferring the



appeal which has been explained to some extent, this Court by taking a lenient view considers it in the interest of justice to condone the delay. Accordingly, the delay of 173 days in preferring the appeal is hereby condoned.

5. I.A. stands disposed of.

I.A. No. 32 of 2024 & GUAP No. 22 of 2024

6. Mr. Samarendra Mohanty, learned counsel for the appellant undertakes to file the certified copy of the judgment and thereby, the present IA No. 32 of 2024 stands disposed of as infructuous.

7. List this matter on 05.04.2025.

(G. Satapathy)
Judge

Priyajit

Signature Not Verified

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Signed by: PRIYAJIT SAHOO
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 20-Mar-2025 13:45:52

