



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.A. No.3180 of 2023

State of Odisha & Others **Appellants**

Mr. D. Mohanty, AGA

-versus-

Kailash Chandra Kandi **Respondent**

Mr. H.B. Sutar, Advocate

CORAM:

JUSTICE MANASH RANJAN PATHAK
JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

10.12.2025

(*Hybrid Mode*)

Order No.

I.A. No.9127 of 2023

02. **1.** The I.A. has been filed for condonation of reported delay of 201 days in filing the appeal.

Pursuant to the order dated 04.03.2023 notice was issued by the Coordinate Bench of this Court, Mr. H.B. Sutar, learned counsel and associates have entered appearance on behalf of the respondent. Objection to the I.A. No.9127 of 2023 has been fled.

2. Learned counsel for the respondent-opposite party relies on the decision rendered by the Hon'ble Apex Court in ***The Chief Post Master General vrs. Living Media India Limited & Others; AIR 2012 1506***. Learned counsel vehemently opposes the prayer for condonation of delay. He submits that the causes shown are too frugal to be accepted.



3. Learned Additional Government Advocate relies on the decisions of the Hon'ble Apex Court rendered in ***SLP(Civil) No.9008 of 2024 : (State of Odisha and others v. Madhurima Panigrahi)*** decided on 10.09.2024, ***SLP(Civil) No.2146 of 2024: (State of Odisha v. Sudhansu Sekhar Jena)*** decided on 21.02.2025, ***SLP(Civil) No. 11443 of 2023: (State of Odisha and others v. Nikunja Kishore Panigrahi)*** decided on 21.11.2023, ***SLP(Civil) No. 23039 of 2024: (State of Odisha v. Ajaya Kumar Bhoi)*** decided on 19.03.2025, ***SLP(Civil) No. 13762 of 2024: (State of Odisha v. Bhikari Charan Prusty)*** decided on 15.10.2024, ***SLP(Civil) No. 25180 of 2024: (State of Odisha v. Prasanna Kumar Jena)*** decided on 14.02.2025 and ***SLP(Civil) No. 15194 of 2024: (State of Odisha v. Shantilata Swain and another)*** decided on 21.07.2025 and submits that more than six hundred SLPs have been allowed by setting aside the orders passed by the Coordinate Benches of this Court not condoning the delay in filing the writ appeal and dismissing the Appeal.

4. We find in the SLPs the Hon'ble Apex Court have taken up the I.As. filed by the State before this Court in the writ appeals and have held that in matters involving financial implication the matter should be heard on merits. The Hon'ble Apex Court has also considered the grounds taken in the I.As. filed before this Court to hold that sufficient causes have been shown for condoning the delay in filing the appeal.



5. Considering the grounds stated in the I.A. supported by affidavit, particularly, paragraphs 2 to 8, we are of the opinion that sufficient cause has been shown explaining the delay. We also take note of the aforesaid decisions of the Hon'ble Supreme Court, condonation of delay would not add any merit to the case of the appellants. The reported delay of 201 days in filing the appeal is condoned.

The I.A. is favoured and disposed of.

W.A. No.3180 of 2023 & I.A. No.9128 of 2023

6. Heard learned Additional Government Advocate for the Appellant-State.

Issue notice.

Since Mr. H.B. Sutar, learned counsel and associates have already appeared on behalf of the respondent, no further notice be issued.

Copy of the appeal memo along with I.A. and other connected papers have been served on Mr. Sutar.

7. List 'for admission' on 28th January, 2026.
Liberty to mention.

(Manash Ranjan Pathak)
Judge

(Mruganka Sekhar Sahoo)
Judge