

ITEM NO.13

COURT NO.11

SECTION XI-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).31382/2008  
(Arising out of impugned final judgment and order dated 11-11-2004  
in OJC No.1345/1999 passed by the High Court of Orissa at Cuttack)

STATE OF ORISSA &amp; ORS.

Petitioner(s)

VERSUS

PRAFULLA CHANDRA MOHANTY  
(For Final Disposal)

Respondent(s)

WITH

SLP (C) No.31384/2008 (XI-A)  
(FOR CONDONATION OF DELAY IN FILING ON IA 1/2008)

SLP (C) No.31385/2008 (XI-A)  
(FOR CONDONATION OF DELAY IN FILING ON IA 1/2008  
FOR APPLICATION FOR SUBSTITUTION ON IA 2/2011  
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.  
ON IA 3/2011 FOR SETTING ASIDE AN ABATEMENT ON IA 4/2011)

SLP (C) No.34441/2009 (XI-A)  
(IA NO.1/2009-CONDONATION OF DELAY IN FILING)

SLP (C) No.34440/2009 (XI-A)  
(IA NO.1/2009-CONDONATION OF DELAY IN FILING and IA NO.2/2009-  
CONDONATION OF DELAY IN REFILING)

SLP (C) No.34442/2009 (XI-A)  
(IA NO.1/2009-CONDONATION OF DELAY IN FILING and IA NO.2/2009-  
CONDONATION OF DELAY IN REFILING)

SLP (C) No.34444/2009 (XI-A)  
(IA NO.1/2009-CONDONATION OF DELAY IN FILING and IA NO.2/2009-  
CONDONATION OF DELAY IN REFILING)

C.A.No.10103/2016 (XI-A)  
(FOR ON IA 3/2016)

SLP (C) No.34437/2009 (XI-A)  
(IA NO.1/2009-CONDONATION OF DELAY IN FILING)

Date : 21-08-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s)

Mr. Shibashish Misra, AOR  
Mr. Chandan Kumar Mandal, Adv.

For Respondent(s)

Mr. Rutwik Panda, AOR  
Ms. Anshu Malik, Adv.  
Mr. Nikhar Berry, Adv.  
Mr. Rajesh Kumar, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

SLP(C)No. 31382/2008, SLP(C)No. 31384/2008, SLP(C)No. 31385/2008,  
SLP(C)No. 34441/2009, SLP(C)No. 34440/2009, SLP(C)No. 34442/2009,  
SLP(C)No. 34444/2009 & SLP(C)No. 34437/2009

Delay in filing the application for substitution is condoned and the applications for substitution and setting aside abatement are allowed.

We are inclined to dismiss these special leave petitions on the ground of limitation because in our opinion the petitioner was not able to satisfactorily explain the inordinate delay of 1170 days and more in filing of these special leave petitions.

However, since we have dismissed the special leave petitions on the ground of delay, the question of law, if any, arising in these special leave petitions are kept open for being decided in appropriate cases at appropriate stage in future.

We are also inclined to observe that the benefit which is granted by the High Court in the impugned order shall remain confined only to the writ petitioners before the High Court.

**Civil Appeal No.10103/2016**

The appeal is dismissed in terms of the signed order.

Pending applications, if any, stand disposed of.

(Ashok Raj Singh)  
Court Master

(Chander Bala)  
Court Master

(Signed Order is placed in the file)

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.10103 OF 2016**

STATE OF ORISSA & ORS.

APPELLANT(S)

VERSUS

SURENDRA SARANGI

RESPONDENT(S)

**O R D E R**

Heard learned counsel for the parties.

We are not inclined to interfere with the impugned order passed by the High Court.

The civil appeal is accordingly dismissed.

.....J.  
[ABHAY MANOHAR SAPRE]

.....J.  
[UDAY UMESH LALIT]

NEW DELHI  
AUGUST 21, 2018