

ITEM NO.5

COURT NO.12 SECTION IIB
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 (Cr1) No(s).8340/2010

(From the judgement and order dated 02/05/2008 in CRLA No. 47/2003 of the HIGH COURT OF ORISSA AT CUTTACK)

STATE OF ORISSA

Petitioner(s)

VERSUS

NIHAR RANJAN KANUNGO & ORS.

Respondent(s)

(With appln(s) for c/delay in filing and refiling the SLP, exemption from filing O.T, exemption from filing c/c of the impugned order and office report)

Date: 01/04/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s)

Mr. Shibashish Misra, Adv.

For Respondent(s)

Mr. Vinoo Bhagat, Adv.

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

Respondent No.3 (one of the acquitted accused) is reported to be dead. Hence, insofar as he is concerned, the SLP abates.

There is a delay of 651 days in filing the SLP and 96 days in its refiling. There is no satisfactory explanation for the delay.

The special leave petition is dismissed as barred by limitation.

(N.S.K. Kamesh)
Court Master

(S.S.R. Krishna)
Court Master