

ITEM NO.8

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  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 48153/2024

[Arising out of impugned final judgment and order dated 31-01-2024  
in WA No. 38/2024 passed by the High Court of Orissa at Cuttack]

THE STATE OF ODISHA &amp; ANR.

Petitioner(s)

VERSUS

KISHORE KUMAR MAHARANA

Respondent(s)

IA No. 80222/2025 - CONDONATION OF DELAY IN FILING

IA No. 80224/2025 - CONDONATION OF DELAY IN REFILING / CURING THE  
DEFECTSIA No. 80226/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT

Date : 07-04-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA  
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) :Mr. Rohit Amit Sthalekar, AOR  
Mr. Purnendu Bajpai, Adv.  
Mr. Shashank Singh, Adv.

For Respondent(s) :

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

1. Learned counsel for the petitioners has brought to our notice  
the order passed by this Court in SLP(C) No.13725/2024 and other  
connected matters on 14.07.2020 which is as under:

"1 Challenged in this Special Leave Petition is a  
final judgment and order dated 20-12-2023 in WA No.  
2854/2023 passed by the High Court of Orissa at Cuttack  
whereby a writ appeal at the instance of the petitioner  
State against an order of a learned Single Judge in  
batch of writ petitions, directing that the petitioners  
(including the respondent(s) herein) were entitled to

get the benefit of grant-in aid from the date of their entitlement, and shall not be limited to three years from the date of the application to receive such aid.

2. Having heard learned counsel for the parties, we are of the considered view that the High Court ought to have condoned the delay of 184 days, 223 days, 243 days, 223 days and 231 days in respective petitions.

3. We find the petitioners to have furnished sufficient explanation preferring the appeal(s) assailing the order dated 21.4.2023 passed by the learned Single in the writ petition(s) filed before it.

4. The effect being that all issues arising in the writ appeal(s) are left open for the High Court to adjudicate save and except the aspect of delay which has been hereby condoned.

5. As such the application(s) for condonation of delay are allowed. The matters are remanded to the High Court for consideration of the appeals before the Division Bench on merits, in accordance with law.

6. Parties are directed to appear before the High Court on 19th March, 2025.

7. With the above observations, the special leave petitions are disposed of.

8. Pending application(s) shall stand disposed of."

2. Issue notice on the application seeking condonation of delay as well as on the Special Leave Petition(s).

(INDU MARWAH)  
AR-cum-PS

(NIDHI WASON)  
COURT MASTER (NSH)