

ITEM NO.36

COURT NO.10

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. 10258/2023

(Arising out of impugned final judgment and order dated 07-03-2022 in WP(C) No. 13826/2019 passed by the High Court Of Orissa At Cuttack)

THE STATE OF ODISHA & ORS.

PETITIONERS

VERSUS

PITABAS SAHOO

RESPONDENT

(IA No.88185/2023-CONDONATION OF DELAY IN FILING and IA No.88186/2023-CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS AND IA No. 41899/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

WITH

DIARY NO(S). 10184/2023 (XI-A)

(IA No. 41810/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 99931/2023 - CONDONATION OF DELAY IN FILING, IA No. 99932/2023 - CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS)

Date : 15-05-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Subhasish Mohanty, AOR

For Respondent(s) Mr. Ashok Panigrahi, Adv.
Mr. Nabab Singh, Adv.
Ms. Geetanjali Das Krishnan, Adv.
Mr. Sparsh Bansal, Adv.
Mr. S. Vinay Ratnakar, AOR

Mr. Abhishth Kumar, AOR

UPON hearing the counsel, the court made the following
O R D E R

1. Learned counsel for the petitioners states that the Division Bench of

the High Court of Orissa has placed reliance on the judgments passed by the learned Single Judge in WPC (OAC) No. 902 of 2016 and a batch of matters, lead matter entitled "Satyabrata Nayak and Ors. Vs. State of Odisha and Ors." disposed of on 15th September, 2021, followed by subsequent orders passed in WPC (OAC) No. 3682 of 2014, titled "Sangram Keshari Guin and Others Vs. State of Odisha and Others". He submits that the decision of the learned Single Judge in the captioned petitions have been challenged by the State of Odisha in intra-Court appeals¹ that are pending before the Division Bench of the High Court of Orissa.

2. Learned counsel for the respondents hands over copies of the order dated 11th May, 2023 passed by the Division Bench of the High Court of Orissa in W.A. No. 818 of 2021 and order dated 13th May, 2024 passed in W.A. No. 557 of 2022. It is stated that the said appeals are now listed on 15th July, 2024.

3. In view of the fact that the fate of the present petitions would hinge on the decision taken in the captioned writ appeals, it is directed that neither side shall seek any adjournment before the High Court in the captioned writ appeals that are posted on 15th July, 2024 so that an expeditious decision be taken. A copy of this order shall be forwarded by the Registry of this Court forthwith to the High Court of Orissa for information.

4. List in the month of September, 2024.

(POOJA SHARMA)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)

1 W.A. Nos. 818 of 2021 & 557 of 2022