

ITEM NO.21

COURT NO.2

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 14278/2023

(Arising out of impugned final judgment and order dated 05-08-2022 in WP(C) No. 5412/2018 passed by the High Court Of Orissa At Cuttack)

THE STATE OF ODISHA & ORS.

Petitioner(s)

VERSUS

DEBENDRA KUMAR PATEL & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.80238/2023-CONDONATION OF DELAY IN FILING and IA No.80239/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 01-05-2023 This petition was called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ARAVIND KUMAR**

**For Petitioner(s) Ms. Sharmila Upadhyay, AOR
Mr. Sarvjit Pratap Singh, Adv.**

For Respondent(s)

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

Delay condoned.

Application seeking exemption from filing C/C of the impugned judgment is allowed.

Learned counsel for the petitioner(s) submits by relying on the order passed by this Court in C.A. Nos.1415-1426 of 2020 (Annexure P-13) that a similar scenario prevails here where the

judgment was reserved for about two years and thereafter has been dismissed on 05.8.2022 only on the grounds of delay and latches in approaching the High Court after one year and five months. Learned counsel though fairly points out that insofar as the relied upon judgment referred to in the impugned order is concerned, the special leave petition has been dismissed leaving question of law open.

Issue notice.

A copy of the order to accompany notice.

(RASHMI DHYANI PANT)
COURT MASTER

(POONAM VAID)
COURT MASTER