

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). 37400/2024

(Arising out of impugned judgment and order dated 30-11-2023 in WA No. 2768/2023 passed by the High Court of Orissa at Cuttack)

STATE OF ODISHA & ORS.

Petitioner(s)

VERSUS

CHAKRADHAR MISHRA

Respondent(s)

(IA No.214234/2024-CONDONATION OF DELAY IN FILING)

Date : 27-09-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Som Raj Choudhury, AOR
Ms. Shrutee Aradhana, Adv.
Mr. Prashant Kumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

1. Delay condoned.
2. Heard Mr. Som Raj Choudhury, learned counsel appearing for the petitioners.
3. The counsel produces copy of the order dated 22.07.2024 in the SLP (Civil) Diary No. 25160 of 2024 where notice was issued in a similar matter.
4. The counsel submits that the Single Judge while granting relief to the respondent No.1 with direction to consider him for regularization also ordered for sanctioning a post for the said purpose. It is contended that such direction for creation of post,

could not have been issued by the Writ Court. However the Writ Appeal filed by the State before the Division Bench was not entertained on the ground of delay, by the impugned order.

5. The counsel submits that the delay should have been condoned by the Division Bench and the State's appeal should have been considered on merit.

6. Issue notice.

7. Tag with SLP (Civil) Diary No. 25160 of 2024.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR