

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2641/2021

[Arising out of impugned final judgment and order dated 16-12-2020 in CRLREV No. 196/2012 passed by the High Court of Orissa at Cuttack]

BHAGABAN GANTYAYAT

Petitioner(s)

VERSUS

THE STATE OF ORISSA & ANR.

Respondent(s)

FOR ADMISSION and I.R.

IA No. 43408/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 105425/2021 - VACATING STAY

Date : 29-07-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) :Mr. Nikilesh Ramachandran, AOR
Mr. Raj Kumar Khanagwal, Adv.
Mr. Shubham Seth, Adv.
Mr. Lovekesh Aggarwal, Adv.
Mr. Ravi Chand, Adv.

For Respondent(s) : Mr. Anukul Chand Pradhan, Sr. Adv.
Mr. Saurabh Mishra, AOR
Mr. Shrimay Mishra, Adv.

Mr. Shibashish Misra, AOR

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

On 22.07.2025, this Court passed the following
order:

"In this case, the contesting parties are brothers. Earlier, we had requested Mr. Shibashish Misra, learned counsel to act as a Mediator and find out a solution for which

Mr. Misra has done extensive exercise. However, ultimately he could not succeed and today we have been informed that the mediation has failed.

From the Mediation Report submitted by Mr. Misra, we find that the petitioner had offered Rs.45 lakhs to the respondent which was close to the benchmark value. The respondent declined to accept and made a demand of Rs. 95 lakhs being the market value, according to the respondent.

Mr. Mishra's Report further indicates that according to the Tehsildar the market value was about Rs. 48 lakhs which is very close to the benchmark value of Rs. 45 lakhs. Whatever be the case, we again left it open to the parties to settle their score here as they are of the same family and are brothers.

Learned counsel for the respondent, upon instructions, submitted that whatever reasonable amount this Court fixes between Rs.45 lakhs to Rs.95 lakhs he will accept the same.

On the other hand, learned counsel for the petitioner submitted that he had instructions to extend the offer up to Rs. 50 lakhs and not beyond.

Considering the facts and circumstances, we are of the view the amount of Rs. 60 lakhs would be a reasonable amount.

Learned counsel for the petitioner prays for three days time to seek further instructions in the matter.

List the matter again on 29th July, 2025.

Liberty is given to the parties to mention the matter on the said date.

The Court records its gratitude to Mr. Shibashish Misra, learned Mediator for helping the Court in finding out a solution."

Today, learned counsel for the petitioner, upon instructions, has stated that the petitioner is ready to pay an amount of Rs.60 lakhs, however, in six equated monthly installments.

Learned senior counsel appearing for the contesting respondent no.2, submitted that although the respondent prefers the entire amount to be paid in lump sum within a reasonable period, he does not seriously object to granting a period of six months.

Considering the aforesaid facts and circumstances, we direct that the petitioner shall pay the amount of Rs.60 lakhs in six equated monthly installments, payable on or before the following dates:

- (i) 31.08.2025
- (ii) 30.09.2025
- (iii) 31.10.2025
- (iv) 30.11.2025
- (v) 31.12.2025
- (vi) 31.01.2026

List these matters in the second week of February, 2026.

By the said date, the parties may place on record the relevant proof of payment made.

Learned counsel for the parties may also submit a joint Settlement Agreement, which shall form part of the record and appropriate orders would be passed at that stage.

(NEETU KHAJURIA)
ASTT. REGISTRAR-cum-PS

(RANJANA SHAILEY)
ASSISTANT REGISTRAR