

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 for Special Leave to Appeal (Civil) No.....of 2017  
(Diary No(s) . 23544/2017)

(Arising out of impugned final judgment and order dated 25-01-2017  
in FAO No. 125/2016 in FAO No. 219/2016 passed by the High Court Of  
Orissa At Cuttack)

THE STATE OF ODISHA & ORS.

Petitioner(s)

VERSUS

AJAY KUMAR BEHERA & ORS.

Respondent(s)

(IA No.76842/2017-CONDONATION OF DELAY IN FILING)

Date : 01-09-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

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

For Respondent(s) Mr. Bharat Sangal, Adv.  
Ms. Isha Gupta, Adv.  
Ms. Vidushi Garg, Adv.  
Ms. S. Spandana Reddy, Adv.  
Ms. Anindita Deka, Adv.  
Ms. Vernika Tomar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal is disposed of in terms of the signed  
order.

Pending application(s), if any, shall also stand  
disposed of.

(MADHU BALA)

COURT MASTER (SH)

(Signed order is placed on the file)

(PARVEEN KUMARI PASRICHA)

BRANCH OFFICER

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.11180-81 OF 2017  
(@ SLP(C) NO.23181-23182 OF 2017 @ D.NO. 23544 OF 2017)

THE STATE OF ODISHA & ORS.

...APPELLANT(S)

VERSUS

AJAY KUMAR BEHERA & ORS.

...RESPONDENT(S)

O R D E R

Delay condoned.

Leave granted.

Heard learned counsel for the parties.

Having regard to the peculiar facts and circumstances of the present case, we condone the delay in filing the appeal before the High Court. Accordingly, we set aside the impugned order of the High Court and remand the matter to the High Court for fresh decision in accordance with law.

The appeal is, accordingly, disposed of.

Parties are directed to appear before the High Court for further proceedings on October 9, 2017.

.....J.  
[ADARSH KUMAR GOEL]

NEW DELHI  
1<sup>st</sup> SEPTEMBER, 2017

.....J.  
[UDAY UMESH LALIT]