

ITEM NO.32

COURT NO.13

SECTION II-B

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 (CRIMINAL) Diary No(s). 24412/2011

(Arising out of impugned final judgment and order dated 05-08-2010 in JCRLA No. 286/1999 05-08-2010 in CRLA No. 109/2000 passed by the High Court Of Orissa At Cuttack)

KALIA @ SRINATH TRIPATHY

Petitioner(s)

VERSUS

STATE OF ORISSA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.197767/2019-CONDONATION OF DELAY IN FILING and IA No.197771/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.197768/2019-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 10-01-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Puran Mal Saini, Adv.
Mr. Ranbir Singh Yadav, AOR
Ms. Pratima Yadav, Adv.
Mr. Ritesh Patil, Adv.
Ms. Niharika Dudeja, Adv.
Mr. Pati Raj Yadav, Adv.

For Respondent(s) Ms. Sharmila Upadhyay, Adv.
Mr. Pawan Upadhyay, Adv.
Mr. Sarvjit Pratap Singh, Adv.

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

Delay condoned.

Ms. Sharmila Upadhyay, learned counsel appearing on behalf of the State submits that the first petitioner, namely, Kalia @ Srinath Tripathy, has been released on remission by the State on 21.11.2019. However, there is no material to show as to whether

the second petitioner, namely, Babula Mallik is released on remission or not.

Learned counsel for the petitioner, Babula Mallik, submits that he is in custody since 23 years. If it is so, the State is directed to consider the request of the petitioner for release under the State Remission Rules. The petitioner Babula Mallik shall make an application seeking the benefit of State Remission Rules, if he so chooses and if such an application is made, the same shall be considered by the State in accordance with the Remission Rules as early as possible but not later than three months from the date of receipt of such application.

The special leave petitions are, accordingly, disposed of.

(GULSHAN KUMAR ARORA)
COURT MASTER

(R.S. NARAYANAN)
COURT MASTER