

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO(S). _____ OF 2025
(ARISING OUT OF SLP(C) No(s). 16544/2024)**

ENGINEER-IN-CHIEF ... APPELLANT(S)

Versus

**RAMESH CHANDRA NAYAK & ... RESPONDENT(S)
ORS. S)**

WITH

**CIVIL APPEAL NO(S). _____ OF 2025
(ARISING OUT OF SLP(C) No. 20061/2024)**

**CIVIL APPEAL NO(S). _____ OF 2025
(ARISING OUT OF SLP(C) No. 19361/2024)**

SLP(C) No. 17343/2024

SLP(C) No. 17344/2024

SLP(C) No. 23170/2024

**CIVIL APPEAL NO(S). _____ OF 2025
(ARISING OUT OF SLP(C) No. 20060/2024)**

**CIVIL APPEAL NO(S). _____ OF 2025
(ARISING OUT OF SLP(C) No. 4470/2025)**

ORDER

SLP(C) No(s). 16544/2024

- 1. Leave granted.**
- 2. Heard learned counsel for the parties.**
- 3. This appeal arises from an order dated 19 October 2023 passed by the High Court of Orissa at Cuttack**

whereby the appellant's Writ Appeal No. 849 of 2021 and I.A. No. 2070 of 2021, seeking condonation of delay in filing the writ appeal, have been dismissed.

4. The contention of the learned counsel for the appellant is that the delay condonation application was dismissed without adverting to the reasons shown for condonation of the delay.

5. It has also been submitted that the delay period fell within the Covid-19 pandemic period during which the running of limitation was suspended by this Court in Re: Cognizance for Extension of Limitation¹.

6. Upon consideration of the submissions and having regard to the fact that the High Court has not assigned reasons as to why the cause shown for condonation of delay was not sufficient, we deem it appropriate to set aside the order of the High Court and restore Writ Appeal No. 849 of 2021 and I.A. No. 2070 of 2021 on the file of the High Court for a fresh decision in accordance to law.

7. It is made clear that we have not expressed any opinion as to whether the cause shown for condonation of delay is sufficient or not, which the High Court shall

¹ 1 (2022) 3 SCC 117

consider based on the materials placed before it.

- 8. The appeal stands allowed in aforesaid terms.**
- 9. Pending application(s), if any, shall stand disposed of.**

SLP(C) No(s). 20061/2024

- 1. Leave granted.**
- 2. Heard learned counsel for the parties.**
- 3. This appeal arises from an order dated 7 November 2023 passed by the High Court of Orissa at Cuttack in Writ Appeal No. 2427 of 2023 by which the High Court dismissed the appeal of the appellant(s) as barred by limitation.**
- 4. The short submission of the learned counsel for the appellant(s) is that an explanation for the delay was provided in I.A. No.6795 of 2023, which has not been considered by the High Court before rejecting the same.**
- 5. We have perused the order impugned. We find that the High Court has not addressed the delay condonation and has dismissed the appeal as barred by limitation because a similar matter was dismissed by it on ground of delay.**

6. In our view, the High Court ought to have considered whether explanation for the delay offered in I.A. No.6795 of 2023 was sufficient to condone the delay or not. Consequently, we deem it appropriate to allow the appeal and direct that application seeking condonation of delay in preferring the writ appeal and the writ appeal shall stand restored on the file of the High Court and would be decided afresh in accordance with law.

7. It is made clear that we have not expressed any opinion as to whether the cause shown for condonation of the delay is sufficient or not.

8. The appeal stands allowed in aforesaid terms.

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

SLP(C) No. 19361/2024

1. Leave granted.

2. Heard learned counsel for the parties.

3. This appeal arises from an order dated 17 November 2023 passed by the High Court of Orissa at Cuttack whereby the appellant's Writ Appeal No.1034 of 2021 and I.A. No. 33 of 2022, seeking condonation of

delay in filing the writ appeal, have been dismissed.

4. The contention of the learned counsel appearing for the appellant is that the delay condonation application was dismissed without adverting to the reasons shown for condonation of the delay.

5. It has also been submitted that the delay period fell within the Covid-19 pandemic period during which the running of limitation was suspended by this Court in Re: Cognizance for Extension of Limitation (supra).

6. Upon consideration of the submissions and having regard to the fact that no reasons have been assigned by the High Court as to why the cause shown for condonation of delay was not sufficient, we deem it appropriate to set aside the order of the High Court and restore Writ Appeal No.1034 of 2021 and I.A. No. 33 of 2022 on the file of the High Court for a fresh decision in accordance to law.

7. It is made clear that we have not expressed any opinion as to whether the cause shown for condonation of delay is sufficient or not, which the High Court shall consider based on the materials placed before it.

8. The appeal stands allowed in aforesaid terms.

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

SLP(C) No. 17343/2024

- 1. Heard learned counsel for the parties.**
- 2. Having regard to the observations made in paragraph 17 of the judgment of the learned Single Judge of the High Court that the writ petition is being decided on same terms as was decided earlier by the High on similar issue, which was assailed before this Court but the Special Leave Petition was dismissed, we decline to interfere with the impugned order in exercise of our discretionary jurisdiction under Article 136 of the Constitution of India. The special leave petition is, accordingly, dismissed.**
- 3. Pending application(s), if any, shall stand disposed of.**

SLP(C) No. 17344/2024

- 1. Heard learned counsel appearing for the parties.**
- 2. Having regard to the observations made in paragraph 17 of the judgment of the learned Single Judge of the High Court that the writ petition is being decided on same terms as was decided earlier by the**

High on similar issue, which was assailed before this Court but the Special Leave Petition was dismissed, we decline to interfere with the impugned order in exercise of our discretionary jurisdiction under Article 136 of the Constitution of India. The special leave petition is, accordingly, dismissed.

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

SLP(C) No. 23170/2024

1. Heard learned counsel appearing for the parties.

2. Having regard to the observations in paragraphs 6, 7, 8 and 9 of the judgment of the learned Single Judge that similar issue had earlier been decided by the High Court against which special leave petition filed was dismissed by this Court, we decline to interfere with the impugned order in our discretionary jurisdiction under Article 136 of the Constitution of India. The special leave petition is, accordingly, dismissed.

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

SLP(C) No. 20060/2024

1. Leave granted.

2. Heard learned counsel for the parties.

3. This appeal arises from an order dated 20 November 2023 passed by the High Court of Orissa at Cuttack in I.A. No.6791 of 2023 and Writ Appeal No. 2426 of 2023 by which the delay condonation application was dismissed and the writ appeal was dismissed as barred by limitation.

4. The short submission of the learned counsel for the appellant(s) is that explanation for the delay was offered in the delay condonation application which has not been considered by the High Court before rejecting the same.

5. We have perused the order impugned. We find that the High Court has not considered the explanation offered for condonation of the delay.

6. In such circumstances, we deem it appropriate to allow the appeal and direct that application seeking condonation of delay in preferring the writ appeal as well as the writ appeal shall stand restored on the file of the High Court and would be decided afresh in accordance with law.

7. It is made clear that we have not expressed any opinion whether the cause shown for condonation of the delay is sufficient or not.

8. The appeal stands allowed in aforesaid terms.
9. Pending application(s), if any, shall stand disposed of.

SLP(C) No. 4470/2025

1. Leave granted.

2. Heard learned counsel for the parties.

3. This appeal arises from an order dated 7 November 2023 passed by the High Court of Orissa at Cuttack whereby the appellant(s)'s Writ Appeal No. 883 of 2023 and I.A. No. 2261 of 2023, seeking condonation of delay in filing the writ appeal, have been dismissed.

4. The contention of the learned counsel appearing for the appellant(s) is that the delay condonation application was dismissed without adverting to the reasons shown for condonation of the delay.

5. We have perused the impugned order. In our view, no reasons have been recorded by the High Court as to why cause shown for condonation of delay is found insufficient. In such circumstances, we deem it appropriate to set aside the order of the High Court and restore Writ Appeal No. 883 of 2023 and I.A. No. 2261 of 2023 on the file of the High Court for a fresh decision in

accordance with law.

6. It is made clear that we have not expressed any opinion as to whether the cause shown for condonation of delay is sufficient or not.

7. The appeal stands allowed in aforesaid terms.

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

..... J.
[MANOJ MISRA]

..... J.
[UJJAL BHUYAN]

**NEW DELHI;
AUGUST 20, 2025.**

ITEM NO.23

COURT NO.13

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

Petition(s) for Special Leave to Appeal (C) No(s). 16544/2024

[Arising out of impugned final judgment and order dated 19-10-2023
in WA No. 849/2021 passed by the High Court of Orissa at Cuttack]

ENGINEER-IN-CHIEF

Petitioner(s)

VERSUS

RAMESH CHANDRA NAYAK & ORS.

Respondent(s)

IA No. 150794/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 150796/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

WITH

SLP(C) No. 20061/2024 (XI-A)

IA No. 115128/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

SLP(C) No. 19361/2024 (XI-A)

IA

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
169155/2024

IA No. 169155/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 17343/2024 (XI-A)

IA

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
155854/2024

IA No. 155854/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

SLP(C) No. 17344/2024 (XI-A)

IA

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
155889/2024

IA No. 155889/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

SLP(C) No. 23170/2024 (XI-A)

SLP(C) No. 20060/2024 (XI-A)

IA

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
116281/2024

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
116286/2024

IA No. 116286/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 116281/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 4470/2025 (XI-A)

IA No. 25417/2025 - CONDONATION OF DELAY IN FILING

IA No. 25418/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 20-08-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) : Mr. Som Raj Choudhury, AOR

Mr. Prakash Ranjan Nayak, AOR
Mr. Somkeerti V Singhdeo, Adv.
Ms. Ilashri Gaur, Adv.

Mr. Dhananjaya Mishra, AOR
Mr. Amritesh Mohanty, Adv.
Mr. Navneet Dogra, Adv.

Ms. Samapika Biswal, AOR
Ms. Soumya Sannidhanam, Adv.

For Respondent(s) :

Ms. Bidya Mohanty, Adv.
Ms. Trisha Chandran, Adv.
Ms. Trisha Chandran, Adv.
Mr. Siddhant Buxy, AOR

Mr. Prabhati Nayak, Adv.
Mr. Debabrata Dash, Adv.
Mr. Apoorva Sharma, Adv.
Mr. Umakant Mishra, Adv.
Mr. Dhananjai Jain, AOR10

Mr. Aditya Narayan Tripathy, Adv.
Mr. Kedar Nath Tripathy, AOR

Mr. Dilraj Bhinder, Adv.
Mr. Ishwar Mohanty, Adv.
Mr. Sujoy Chatterjee, AOR

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

1. Leave granted and the appeals are allowed in terms of the signed order.
2. SLP(C) No. 17343/2024, SLP(C) No. 17344/2024 and SLP(C) No. 23170/2024 are dismissed in terms of the signed order.
3. Pending application(s), if any, shall stand disposed of.
4. Signed order is placed on the file.

**(SONIA BHASIN)
ASSISTANT REGISTRAR-cum-PS**

**(SAPNA BANSAL)
COURT MASTER (NSH)**