

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLMC Nos.551/2023 & 922/2023**

*(Applications under Section 482 of the Code of Criminal Procedure)*

**CRLMC No.551 OF 2023**

**Manish Agarwal ... Petitioner**

*-versus-*

**State of Odisha & another ... Opposite Parties**

**Advocates appeared in the case through hybrid mode:**

**For Petitioner** : Mr.Millan Kanungo,  
Sr.Advocate.

सत्यमेव जयते

Mr. Yuvraj Parekh,  
Advocate

*-versus-*

**For Opposite Party  
No.1**

: Mr. T.K.Praharaj,  
Standing Counsel

**For Opposite Party  
No.2**

: None

**CRLMC No.922 OF 2023**

**V. Venu @ Veliseti Benu  
and others** ... **Petitioners**

*-versus-*

**State of Odisha & another** ... **Opposite Parties**

**Advocates appeared in the case through hybrid mode:**

**For Petitioner** : Mr.Millan Kanungo,  
Sr.Advocate.

Mr. Yuvraj Paresh,  
Advocate

*-versus-*

**For Opposite Party  
No.1** : Mr. T.K.Praharaj,  
Standing Counsel

**For Opposite Party  
No.2** : None

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**CORAM:**

**JUSTICE SASHIKANTA MISHRA**

**JUDGMENT**  
**22.6.2023.**

**Sashikanta Mishra,J.** Common questions of law and fact are involved in both these applications filed under Section 482 of Cr.P.C. Thus, both were heard together and are being disposed of by this common judgment.

**2.** The Petitioners are accused in G.R. Case No.850/2020 corresponding to Malkangiri P.S. Case No.401/2020 pending in the Court of learned S.D.J.M., Malkangiri. In the present applications, they seek to challenge the order dated 19<sup>th</sup> December, 2022 passed by learned S.D.J.M., in taking cognizance of the offences under Sections 302/506/201/204 read with Section 120-B/34 of the I.P.C. They further challenge the order dated 11<sup>th</sup> January, 2023 passed by learned S.D.J.M., directing the complainant to file requisites and the summons dated 13<sup>th</sup> January, 2023 issued by the learned S.D.J.M. to them.

### **Facts**

**3.** One Deba Narayan Panda (deceased) was working as Personal Assistant to the then Collector, Malkangiri

(Petitioner in CRLMC No.551/2023). He went missing on 27<sup>th</sup> May, 2019 while on duty. On being informed, the I.I.C. of Malkangiri P.S. made a Station Diary Entry vide SDE No.78/2019 followed by search for the missing person. On the next day, i.e. on 28<sup>th</sup> December, 2019, the dead body of the deceased was recovered from the Satiguda dam site by the fire personnel. Accordingly, Malkangiri P.S. U.D. Case No.44/2019 was registered on the basis of written report of one Durga Madhab Panda, elder brother of the deceased. In course of enquiry, inquest was held and post mortem was conducted by a team of doctors. The Post Mortem report disclosed the cause of death as ante-mortem drowning and its complications. It also revealed that the dead body did not have any injury or mark of violence. The viscera report indicated that no poisonous compound, alcohol and drugs could be detected.

**4.** While the matter stood thus, after about a year i.e. on 13<sup>th</sup> November, 2020 the wife of the deceased

(present Opposite Party No.2) filed a complaint being I.C.C. No.20/2020 in the Court of S.D.J.M., Malkangiri alleging therein that on the date of occurrence i.e. on 27<sup>th</sup> May, 2019, her husband had gone to the residence office of the Collector at about 7.30 A.M. and stayed there for nearly half an hour and returned. Again at about 10 A.M., he went to the residence of the Collector and did not come back thereafter. On the next day the dead body was fished out from the waters of Satiguda Dam. It was thereafter, alleged that Manish Agarwal (Petitioner in CRLMC No.551/2023) was responsible for death of the deceased.

Learned S.D.J.M. forwarded the complaint to the I.I.C. of Malkangiri to register the F.I.R. and to conduct investigation as per Section 156 (3) of the Cr.P.C. Basing on such order, Malkangiri P.S. Case No.1 dated 28<sup>th</sup> January, 2021 was registered. Upon completion of investigation, the investigating officer taking note of several factors including the post mortem and viscera reports and the statement of witnesses held that no

foul play was involved in the death of the deceased and that the accused persons had not committed any offence. Rather, investigation revealed that the deceased was upset in his service matters and committed suicide by jumping in the Satiguda Dam. Thus, final report was submitted as mistake of fact.

**5.** The present Opposite Party No.2 filed a protest petition on 17<sup>th</sup> December, 2022 against submission of the aforementioned final report by Police. In the said protest petition, she basically alleged that the matter had not been properly investigated and that the involvement of the Collector (Petitioner in CRLMC No.551/2023) in the death of the deceased was being deliberately kept under cover. Learned S.D.J.M. recorded the initial statement of the complainant-Opposite Party No.2 under Section 200 of Cr.P.C. and basing on such statement and other materials on record, took cognizance of the aforementioned offences by order dated 19<sup>th</sup> December, 2022 and postponed issue of process as per Section 202(a) of Cr.P.C. by

deciding to call upon the complainant to produce all her witnesses. Accordingly, four witnesses were examined on behalf of the complainant whereupon learned S.D.J.M. directed the complainant to file requisites by order dated 11<sup>th</sup> January, 2023. Finally, on 13<sup>th</sup> January, 2023, learned S.D.J.M. issued summons to the Petitioners to appear before him.

**6.** It would be relevant to mention at the outset that the Petitioner (Manish Agarwal) had earlier approached this Court in CRLMC No.1683/2020 against initiation of the criminal proceeding against him, but in view of the submission of final report as mistake of fact, he filed a Memo not pressing the CRLMC. Accordingly, by order dated 15<sup>th</sup> November, 2022 passed by a coordinate Bench of this Court, the CRLMC was dismissed as not pressed.

**7.** Heard Mr. Millan Kanungo, learned Senior Counsel with Mr. Yuvraj Parekh, learned counsel for the Petitioners and Mr. T.K.Praharaj, learned Standing counsel for the State.

## **Submissions**

8. Be it noted that there is sufficient service of notice, there was no appearance from the side of Opposite Party No.2-complainant. However, she filed an objection affidavit, which was taken on record and considered at the time of hearing of the petition.

9. Mr. Kanungo opens his argument by submitting that criminal case being a serious matter cannot be initiated against a person as a matter of course. Moreover, criminal proceedings involving grave offences like murder, cannot be taken lightly and therefore, unless there are at least prima facie materials to show involvement of a person in the alleged occurrence, the Courts should be slow to act upon any complaint/allegation made by any person in this regard. Referring to the facts of the case Mr. Kanungo submits that the case of the complainant, even if accepted lock, stock and barrel, would not reveal even a shred of allegation against the Petitioners as having had any role to play in the death of the

deceased. All that can be discerned from the complaint/protest petition, documents enclosed thereto and the initial statement of the complainant as also that of the other witnesses examined under Section 202(2) of Cr.P.C. is, the deceased was mentally upset because of his likely transfer to another Office from the Collectorate. There is also some material to show that he had been issued with show cause notices in the past by the previous Collectors for misconduct as also by Manish Agarwal (Petitioner in CRLMC No.551/2023) as Collector, Malkangiri. The Investigating Officer took note of the same and was of the considered view that the deceased was upset because of his service related issues. But there being absolutely no material to suggest any kind of foul play, the Investigating Officer rightly concluded that the case was one of suicide.

Mr.Kanungo further argues that even accepting that the deceased had committed suicide being upset, still there is absolutely no material much less

acceptable evidence to even prima facie show that the Petitioners had abetted the same. Thus, according to Mr. Kanungo, no case is made out against the Petitioners. Rather, it is evident that the complainant has filed the case solely with the intention of causing harassment to the Petitioners. The very fact that the complaint (I.C.C.No.20/2020) was filed nearly one year after the death of the deceased shows that the same was a product of due deliberation and a calculated move to rope in the Petitioners somehow into the case.

**10.** Mr. T.K.Praharaj, learned Standing Counsel for the State, submits that even though final report was reported showing mistake of fact, it was open to the learned S.D.J.M., to act upon the protest petition filed by the complainant. To such extent therefore, no illegality can be attributed to the Court below. Secondly, the procedure envisaged under Chapter-XV relating to complaint was scrupulously followed by the Court below by postponing the issuance of process. It is only after examination of the witnesses produced by

the complainant that the Court below deemed it fit to issue summons to the Petitioners. On merits, Mr. Praharaj fairly concedes that the investigation did not find any evidence of foul play, rather the conclusive opinion of the autopsy surgeon was to the effect that the deceased had committed suicide. He further submits that whether the Petitioners had any role to play in the suicide committed by the deceased is a matter that can be ascertained only from the evidence on record during trial, but not at this stage.

**11.** The complainant (Opposite Party No.2) in her objection affidavit has stated that Manish Agarwal, being a Joint Secretary rank I.A.S. Officer has attempted to hoodwink the Court by acting in connivance of Government agencies and managed to get a final report submitted in the complaint (I.C.C. No.20/2020) filed by her. She has further stated that one Santosh Panigrahi, an eye witness to the murder was working as personal cook of Manish Agarwal but he died mysteriously without any illness on 20<sup>th</sup>

December, 2022, which was reported by her to the Malkangiri P.S., but no action was taken on such complaint. The S.P., Malkangiri had acted in unison with the Petitioners to suppress the crime and for destruction of evidence and to threaten the witnesses.

### **Analysis**

**12.** Having regard to the facts and contentions raised by the parties as noted in the preceding paragraphs, this Court, before delving into the merits thereof would like to keep the position of law relating to interference by the High Court in exercise of power under Section 482 of Cr.P.C. with the proceedings pending before the Court below in perspective. In this regard, this Court can do no better than to refer to the celebrated decision of the Apex Court rendered in the case of ***State Of Haryana And Ors vs Ch. Bhajan Lal And Ors; 1992 AIR 604***, wherein the following principles were laid down;

*“(a) where the allegations made in the First Information Report or the*

*complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused;*

*(b) where the allegations in the First Information Report and other materials, if any, accompanying the F.I.R. do not disclose a cognizable offence, justifying an investigation by police officers under Section 156(1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code;*

*(c) where the uncontroverted allegations made in the FIR or 'complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused;*

*(d) where the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code;*

*(e) where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused;*

*(f) where there is an express legal bar engrafted in any of the provisions of*

*the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party;*

*(g) where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge.”*

**13.** Further, the ratio of the case of **Pepsi Foods Ltd. v. Special Judicial Magistrate**; reported in (1998) 5 SCC 749 is highly relevant in the facts of the present case wherein the following was observed by the Apex Court;

*“Summoning of an accused in a criminal case is a serious matter. Criminal law cannot be set into motion as a matter of course. it is not that the complainant has to bring only two witnesses to support his allegations in the complaint to have the criminal law set into motion. The order of the magistrate summoning the accused must reflect that he has applied his mind to the facts of the case and the law applicable thereto. He has to*

*examine the nature of allegations made in the complaint and the evidence both oral and documentary in support thereof and would that be sufficient for the complainant to succeed in bringing charge home to the accused. It is not that the Magistrate is a silent spectator at the time of recording of preliminary evidence before summoning of the accused. Magistrate has to carefully scrutinise the evidence brought on record and may even himself put questions to the complainant and his witnesses to elicit answers to find out the truthfulness of the allegations or otherwise and then examine if any offence is prima facie committed by all or any of the accused.*

*(emphasis supplied)*

**14.** Whether a complaint has been frivolously made or not has to be determined on the basis of the material placed before the Court by the complainant. In the case of **Chandra Deo Singh v. Prokash Ch. Bose and another**; reported in AIR 1963 SC 1430, the Apex Court held as follows;

*“7. ...No doubt, one of the objects, behind the provisions of Section 202 Cr.P.C. is to enable the Magistrate to scrutinise carefully the allegations made in the complaint with a view to prevent a person named therein as accused from being called upon to face an obviously frivolous complaint. But there is also another object behind this provision and it is to find*

out what material there is to support the allegations made in the complaint. It is the bounden duty of the Magistrate while making an enquiry to elicit all facts not merely with a view to protect the interests of an absent accused person, but also with a view to bring to book a person or persons against whom grave allegations are made. Whether the complaint is frivolous or not has, at that stage, necessarily to be determined on the basis of the material placed before him by the complainant.....”

(emphasis supplied)

**15.** Both the cases referred above were taken note of by the Apex Court in the case of **Krishna Lal Chawla and others vs. State of U.P. and another** passed in Crl. Appeal No.283/2021 decided on 8.3.2021. Summing of the position of law, the Apex Court held as follows;

“Thus, it is clear that, on receipt of a private complaint, the Magistrate must first, scrutinize it to examine if the allegations made in the private complaint, inter alia, smack of an instance of frivolous litigation; and second, examine and elicit the material that supports the case of the complainant.”

**16.** The facts of the case may now be examined in the light of the above propositions.

There is no dispute that the deceased Deba Narayan Panda left home for the house of the Collector on 27<sup>th</sup> December, 2019 at 10 A.M. and did not return. A missing report was lodged at Malkangiri P.S. which led to a search being conducted. In course of search his slippers were found in the Satiguda Dam site. On the next day, i.e. on 28<sup>th</sup> December, 2019 at about 11 A.M. his dead body was fished out from the waters of Satiguda Dam by fire personnel. A U.D. Case was registered on the written report of the elder brother of the deceased. Significantly, at that stage, no allegation of foul play was made. As to the nature and cause of the death, the post mortem report, which is available in the case record, categorically reveals that there is no external injury of any form detected on body. The following was found on dissection;

*“(i)Blood stained froth coming from the mouth and nostrils,*

*(ii)larynx, trachea and bronchi, congested and contained blood stained froth*

*(iii)Both the lungs are congested, voluminous and edematous,*

*(iv)Stomach contained approximate, 200cc of yellowish coloured fluid.*

*(iv)Heart and large blood vessels are intact.*

*(v) Brain congested.*

*(vi)All other internal organs are congested, wrinkled palm and sole, and goosed skin present.”*

The opinion of the autopsy surgeon is as follows;

*“In the view of the case history circumstantial evidences and mortuary findings, to the best of my knowledge and belief. I opined as follows. As per preliminary examination, the above findings are ante mortem in nature and suggestive of features of ante mortem drowning. However, to rule out the concurrent poisoning, routine viscera are preserved and handed over to Police officials for onward transmission to S.F.L., Rarulgarh, Bubaneswar.*

**17.** The report of the examination of the viscera conducted by State Foreignsic Science Laboratory, Rasulgarh, revealed as follows:

*“Ethyl alcohol, Methyl alcohol, Barbiturates, Benzodiazepine groups of drugs, Insecticidal, Alkaloidal, Rodenticidal, Herbicidal and Metallic poison could not be detected in the visceral matters of the deceased described above.”*

**18.** The I.O. sought for opinion of the ADMO (Medical) D.H.H, Malkangiri by referring to the post mortem examination report and viscera examination report on the following narrations;

- “(i) Actual cause of death taking into consideration of the scientific examination reports.  
(ii) As per P.M. examination report, probable cause of death has been mentioned as ante mortem drowning.*

*Hence based on the chemical examination reports, circumstances in which dead body was found and enquiry conducted till date, kindly opine whether the drowning is suicidal or homicidal.”*

**19.** The ADMO submitted his final opinion as follows;

*“Death of deceased is due to asphyxia as a result of automatic drowning which is more in favour of suicidal manner whereas accidental drowning may not be ruled out by taking into consideration the P.M. examination, scientific report and circumstances reveals so far. However, it is subjected*

*to facts and circumstances to be enquired by Enquiring Officer.*

**20.** The I.O. sought for opinion from an Asst. Professor, Dr. Bhakta Narayan Munda, Department of F.M.T of S.L.N. Medical College and Hospital, Koraput.

He gave his opinion as follows:

*(i) The external and internal findings described in the P.M. report are consistent with the features of ante mortem drowning.*

*(ii) Considering the scientific examination reports i.e. chemical examination report of viscera and diatom test report and the P.M. findings, it can be opined that cause of death of the deceased is due to ante mortem drowning and its complications thereof.*

*(iii) Taking into consideration, the P.M. findings described in the P.M. report, chemical examination report, diatom test report, query opinion by the primary P.M. conducting doctors and the details of the circumstantial evidences given by the E.O., it can be opined that with all probabilities, manner of death of the deceased in the instant case appears to be suicidal in nature in the given circumstances.”*

Thus, from the above medical evidence, it is clear that there is no mention of the cause of death being homicidal in nature.

**21.** Notwithstanding the medical evidence the other materials are also to be looked into. This Court therefore, carefully perused the complaint Petition in I.C.C. No.20/2020 filed by the complainant (Opposite Party No.2). Paragraph-F of the complaint petition under the heading “Gist of the case” contains as many as 79 paragraphs. Reference has been made to the Petitioners in some of the paragraphs. This Court has gone through each of the paragraphs of the complaint petition. There is not a shred of allegation therein that the accused-Petitioners had intentionally caused the death of the deceased. The admitted case of the complainant, which is well supported by the medical evidence, is that the deceased had died due to drowning. But the complainant does not allege at all that the Petitioners were responsible for the drowning of her husband in the Satiguda Dam. The only allegation against the Petitioner-Manish Agarwal is that on 4<sup>th</sup> April, 2018 he had called the deceased in the evening to his residence office for some urgent work and after completion thereof, he had asked him a

confidential question as to who are people or projects or agencies who contributed money to the Collector either on monthly basis or on work to work basis. The Collector also wanted to know who were the people who usually did the collection on his behalf. The Petitioner also allegedly asked the deceased whether he can take up the responsibility of collecting funds/percentage/commission on behalf of the Collector. When the deceased expressed his lack of information regarding collection of funds and his inability to make such collection, the Petitioner was visibly upset.

**22.** Coming to the date of occurrence, it is stated that the deceased went to the Collector's residence at 10.10 A.M. and thereafter did not return. Some post occurrence conduct of the Collector have been highlighted. What is important to note is, there is simply no allegation which would even remotely link the Petitioners with the death of the deceased. In the protest petition also, apart from alleging that the

Petitioner-Manish Agarwal had used his position to suppress relevant facts during investigation, there is no allegation of the Petitioners having caused the death of the deceased. The initial statement of the complainant, which runs into 42 paragraphs is also entirely silent as to the exact role played by the Petitioners in the death of the deceased.

**23.** Thus, neither the medical evidence nor the complaint petition, protest petition, initial statement of the complainant as also that of the other witnesses, contain, prima facie, any evidence to even suggest that the death was homicidal in nature. Unless, this foundational fact is established it would be futile to travel further to ascertain the identity of the culprit. It goes without saying that there can be no culprit without a crime. This Court, therefore finds that there exist no materials to prima facie suggest commission of the offence under Section 302 I.P.C.

**24.** However, the complaint petition, protest petition, initial statement of the complainant and the statement

of other witnesses as also objection affidavit filed before this Court contain allegations against the Petitioners of having instigated, by their conduct, the deceased to commit suicide. To amplify, the complaint petition refers to show cause notice issued by the Collector (Petitioner in CRLMC No.551/2023) for certain misconduct and purported attempts made by the Collector as well as the co-accused V. Venu @ Veliseti Benu (Petitioner No.1 in CRLMC No.922/2023) to have the Petitioner removed from the post of P.A. to Collector. It is also alleged that an Ex-M.P. had given an interview on 22<sup>nd</sup> December, 2019 making allegations of corruption against the Petitioner-Manish Agarwal, which purportedly made him thirsty for revenge. Again on 24<sup>th</sup> December, 2019 Bhagawan Panigrahi (Petitioner No.3 in CRLMC No.922/2023) met the Collector confidentially in his residential office as witnessed by the deceased. On the same day another show cause notice was issued by the Collector to the deceased purportedly on the instigation of said Bhagawan Panigrahi. On the next day, Bhagawan

Panigrahi himself came to the house of the deceased and informed that the Collector was not satisfied with his work and wanted him to join in place of the deceased. According to one of the witnesses examined by the I.O., the Collector had slapped the deceased in the presence of his (Collector's) wife on the date of occurrence. The deceased went missing shortly thereafter.

According to the complainant, the aforesaid conduct of the Collector and that of V. Venu @ Veliseti Benu and Bhagawan Panigrahi caused depression in the mind of the deceased to such extent that it led him to end his own life. In other words, the Collector and the other three persons abetted the suicide committed by the deceased.

**25.** Significantly, the charge sheet itself mentions, inter alia, “xxx The investigation has thus reveals that deceased Deba Narayan Panda was upset in his service matters and he committed suicide by jumping in the Satiguda Dam.xxx”. So even the prosecution

accepts that the deceased was upset because of his service matters which was strong enough to lead him to commit suicide.

It would be useful at this stage to refer to Section 306 of I.P.C. which reads as follows;

*“306. Abetment of suicide.—If any person commits suicide, whoever abets the commission of such suicide, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.”*

**26.** In the case of ***Chitresh Kumar Chopra vs. State (Govt. of NCT of Delhi)***, reported in (2009) 16 SCC 605 as well in the case of ***Parveen Pradhan vs. State of Uttaranchal***, reported in (2013) 1 SCC (Cri) 146, the apex Court held that to constitute ‘instigation’, a person who instigates another has to provoke, incite, urge or encourage the doing of an act by the other by ‘goading’ or ‘urging forward’.

**27.** Whether the aforementioned conduct of the accused persons would amount to instigation or not can obviously be determined from the evidence

adduced during trial but not at this preliminary stage. It is to be noted that investigation has not suggested any plausible reason for the deceased other than being upset because of his service matters to contemplate taking the extreme step. Significantly, the I.O. in his attempt to ascertain the reason of suicide, examined one Basudeb Mohapatra, a co-villager of the deceased. Said witness categorically denied that the deceased could not have been upset because of inability to repay land loans incurred by him. Thus, there is simply no other reason put forth by the prosecution to explain the act of suicide except that he was mentally upset because of his service matters.

**28.** Coming to the offence under Section 506 of I.P.C. there is not a whisper of allegation as to any threat being held out by the Petitioners to the deceased. Neither the words used nor any other material is available on record to show that the Petitioners had threatened the deceased to either cause his death or hurt to him. Issuance of show cause notices cannot be

treated as threats as they are administrative actions permissible to be taken under the relevant service rules by a superior authority against his subordinate.

**29.** Coming to the offences under Sections 201/204 of I.P.C. it has been suggested, though not expressly that the death of the deceased was caused by foul play and such fact was attempted to be suppressed/hidden by drowning his dead body in the Satiguda Dam waters. However, in view of what has been discussed herein before in detail regarding the cause and nature of death of the deceased as also absence of any external injury on the body of the accused, it is evident that the offences under Sections 201/204 of I.P.C. would have no legs to stand.

**30.** This leaves the Court with the offence under Sections-120-B/34 of I.P.C. The foregoing narration relating to the events leading to commission of suicide by the deceased would prima facie, show that all the three accused persons had acted in unison to belittle the deceased in several ways and on multiple

occasions which caused him to be mentally upset. Thus, at least at this preliminary stage, it can be safely said that the Court below rightly took cognizance of the offence under Section 120-B/34 of I.P.C.

### **Findings**

**31.** On a conspectus of the analysis of facts and law made hereinbefore, this Court is of the considered view that the offences punishable under Sections 302/506/201/204 of I.P.C. are prima facie, not made out. However, there are enough materials to at least, prima facie, proceed against the accused persons for the offences under Sections 306/120-B/34 I.P.C. The impugned order warrants modification accordingly.

**32.** In the result, the CRLMCs are allowed in part. The impugned order is modified only to the extent of substitution of the offences under Sections 302/506/201/204 I.P.C. by the offences under Sections 306/120-B/34 of I.P.C. The Court below is directed to proceed accordingly and to try and dispose

of the case as expeditiously as possible preferably,  
within eight months.

.....  
**Sashikanta Mishra,**  
**Judge**

**Ashok Kumar Behera**

