

**APPELLATE AUTHORITY  
UNDER THE AIR (PCP) ACT, 1981,  
ODISHA, BHUBANESWAR.**

**APPEAL NO.3A OF 2024**

***Srinibas Mohapatra*** .....

***Appellant/  
Petitioner***

*Shri Soumay Mishra  
& Associates, Advocates.*

**- Versus-**

*1. Collector & District  
Magistrate, Odisha,  
Balasore*

*2. The Tahsildar, Odisha,  
Balasore*

*3. The Regional Officer,  
State Pollution Control  
Board, Odisha, Balasore*

*4. Smt. Pankajini Jena  
(Co-Proprietor of M/s  
Mahalaxmi Stone Crusher,  
Unit), Odisha, Balasore*

*5. Narendra Mohanty,  
At-Champu, PO-Angula,  
PS-Soro, Odisha, Balasore*

***Respondents/  
Opp. Parties***

*Mr. B. P. Pattjoshi, Legal  
Consultant & Mr. S. K.  
Kuanar, Sr. Law Officer,  
Level-II, State Pollution  
Control Board, Odisha-(R-3)  
Ms. Soudamini Mahankuda,  
Advocate for respondent  
no.4*

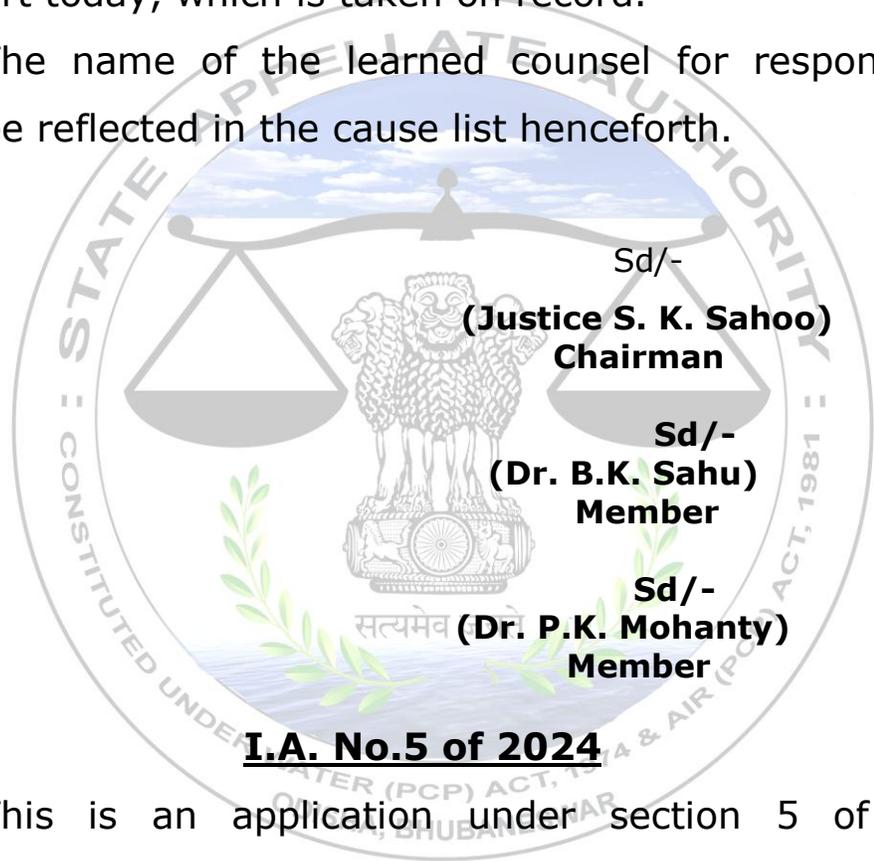
**CORAM:**  
**JUSTICE S. K. SAHOO, CHAIRMAN**  
**DR. B.K. SAHU, MEMBER**  
**DR. P.K. MOHANTY, MEMBER**

**ORDER**  
**17.05.2025**

**Order**  
**No.**  
**02.**

Ms. Soudamini Mahankuda, learned counsel and her associate have filed power on behalf of respondent no.4 in Court today, which is taken on record.

The name of the learned counsel for respondent no.4 be reflected in the cause list henceforth.



**Order**  
**No.**  
**03.**

This is an application under section 5 of the Limitation Act for condonation of delay in filing this appeal.

It is pointed out by the Office that there is delay of eighty eight days (88) in preferring the appeal.

It is further pointed out by the Office that notice on the interim application for condonation of delay has been

made sufficient on opp. party no.1, the Collector & District Magistrate, Balasore on 09.01.2025 and opp. party no.2, the Tahasildar, Balasore on 10.01.2025.

None appears on behalf of opp. party nos.1 & 2.

It is further pointed out by the Office that report has come that opp. party no.5, Shri Narendra Mohanty is dead.

Learned counsel for the petitioner submits that since the petitioner is not claiming any relief against the opp. party no.5, there is no need to take steps for substitution of legal heirs of opp. party no.5.

Learned counsel appearing for opp. party no.3 submits that though they have stated on 04.01.2025 that they have accepted the notice, but the copy of the interim application has not yet been served on them.

Learned counsel for the petitioner submits that she will serve a copy of the interim application on learned counsel for the opp. party no.3 during course of the day.

It is unfortunate that in spite of service of notice, no steps have been taken by the respondent/opp. party nos.1 and 2. The matter be brought to the notice of the Chief Secretary, Govt. of Odisha so that in such cases, where the notices are served, immediate steps shall be taken by the authority concerned to appear before this Court.

Copy of the order be forwarded to the Chief Secretary, Govt. of Odisha.

List this matter on 16.08.2025 for consideration of delay condonation application.

Objection, if any, to the interim application be filed in the meantime.

Sd/-

**(Justice S. K. Sahoo)**  
**Chairman**

Sd/-

**(Dr. B.K. Sahu)**  
**Member**

Sd/-

**(Dr. P.K. Mohanty)**  
**Member**

