

State of Orissa Vs. Subash Chandra Rath

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Court : Orissa

Decided On : Oct-20-2006

Reported in : 103(2007)CLT280; 2006(II)OLR831

Judge : Sujit Barman Roy, C.J.

Appellant : State of Orissa

Respondent : Subash Chandra Rath

Disposition : Appeal dismissed

Judgement :

Sujit Barman Roy, C.J.

1. Respondent Subash Chandra Rath was at the relevant point of time appointed as Veterinary Asst. Surgeon at Belpahar. He was accused for having taken a bribe of Rs. 200/- for giving a false certificate regarding the value of certain buffalo. The alleged incident occurred on 2.8.1986. Since then, little more than two decades' time has elapsed. The amount of bribe allegedly taken by the respondent was for a paltry sum of Rs. 200/-. Such conduct of the respondent must be highly deprecated when it is done by a responsible officer of the Government, namely, the Veterinary Asst. Surgeon. But, as a long a time has elapsed since the occurrence had taken place and the appeal was filed in the year 1994 and since then, more than 12 years' time has elapsed, and for this inordinate delay in disposing of the appeal the Court cannot lay blame on the respondent, I am of the

view that it would be a sheer travesty of justice to alter the finding of acquittal at this belated stage.

2. The appeal is accordingly dismissed.

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