

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.8 of 2022

Bhobani Barik

....

Petitioner(s)

Mr. T. Panigrahi,
Advocate

-versus-

Sobani Barik & Anr.

....

Opposite Party(s)

CORAM:

JUSTICE BISWANATH RATH

ORDER

07.02.2022

Order No.

01. 1. This Civil Miscellaneous Petition involves a challenge to the order at Annexure-3 whereby the learned Addl. Dist. & Sessions Judge, Nimapara in exercise of appeal power decided the F.A.O No.26/21 filed challenging the order of the trial Court involving an application under Order 39 rules 1 & 2 of C.P.C., thereby directing the respondents therein not to undertake permanent structure and permitting only to the extent of temporary repairing.
2. For the nature of order passed in disposal of F.A.O. No.26/21 during pendency of suit, this Court finds, there is no prejudice to either of the parties.
3. In the circumstance, this Court declines to entertain the Civil Miscellaneous Petition at this stage, which is, hereby, dismissed.

(Biswanath Rath)
Judge