

IN THE HIGH COURT OF ORISSA AT CUTTACK

SA No.14 of 1988

Odiya Gadaba

....

Appellant

-versus-

Shyama Sundar Naik

....

Respondent

CORAM:

MR. JUSTICE D.DASH

ORDER

11.04.2022

Order No.

14. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. Mr.R.C.Rath, learned counsel for the Appellant submits that having taken several attempts to contact the Appellant or anyone known to him, it has not been so possible and, therefore, he is not in a position to proceed further in the matter to take the step for substitution of the legal representatives of the sole Respondent.
- Learned counsel, who had entered appearance on behalf of the deceased-Respondent submits that in view of the death of the Respondent since long and as no step has been taken for substitution by his legal representatives, the Appeal has abated.
- Records reveals that opportunity was given to the learned counsel for the Appellant. He is now expressing his inability to proceed further in the matter.
3. In the above state of affair, the Appeal stands dismissed as to have abated.

***(D. Dash),
Judge.***