

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.11908 OF 2009

Purna Chandra Mallik

....

Petitioner

Mr.D.Mohapatra, Adv.

-versus-

Smt.Banalata Mohanty & ors.

....

Opposite Party(s)

Mr.U.K.Mohanty, Adv. for O.Ps.2 to 5

CORAM:

JUSTICE BISWANATH RATH

Order
No.

ORDER
11.5.2022

5.

1. Heard learned counsel for the Parties.
2. Hearing the rival contentions of the Parties and going through the grounds agitated and being objected by the learned counsel for the respective Parties and further going through the grounds taken herein, this Court finds, there has been mechanical disposal of the Petition. As there is requirement of further hearing of the Petitions involved on its own merit, this Court without entering into the merit involved therein leaves the matter to be adjudicated by the trial court. This Court interfering with the order dated 22.8.2006 and the consequential order dated 15.7.2009 passed in T.S. No.657/88 (Annexure-5) sets aside the same. In the result, the matter is remitted to the trial court for re-consideration of the Petition

(Annexure-4) involved herein involving both the Parties involved herein and also taking a fresh view involving the matter.

3. With the above order, the Writ Petition stands disposed of.
4. Issue urgent certified copy.

(Biswanath Rath)
Judge

M.K.Rout

