

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.398 OF 2007

Manoj Kumar Das & ors.

....

Petitioners

Mr.D.P.Mohanty, Adv.

-versus-

Saunti Das & ors.

....

Opposite Party(s)

Mr.A.K.Pada, Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
28.10.2022**

Order No.

- 4.
1. Heard learned counsel for the Parties.
 2. Even though the Writ Petition involves a challenge to the order rejecting the Application under Order 6 Rule 17 of C.P.C. entertained in the year 2007 and the Petitioners are in enjoyment of the interim protection since 5.3.2007, for the information from the Petitioners, learned counsel for the Petitioners submitted that the suit has been dismissed in the meantime for non-prosecution.
 3. Keeping this in view, this Court finds no purpose in getting into the impugned order at this stage. Even though the Writ Petition is disposed of observing the issue has gone infructuous, the Petitioners may have the liberty to re-approach the Court in the event the suit is revived.

(Biswanath Rath)
Judge

M.K.Rout