

IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA NO.472 OF 2006

Shyam Sundar Barik (since dead) Appellants
through his LRs.

Mr.S. Mantry, Advocate

-versus-

Anam Jena @ Anam Charan Jena Respondents
& Others

Mr. S.P. Mishra, Sr. Advocate

CORAM:

MR. JUSTICE D.DASH

ORDER

09.03.2022

Order No.

35. 1. This matter is taken up by Hybrid Arrangement (Virtual/Physical) mode.
2. The record is called for on a mention being made by Mr. S.P. Mishra, learned Senior Counsel who had argued in RSA No.472 of 2006 on behalf of the Respondents.

It is submitted by Mr. Mishra, that this Court, by judgment dated 28.02.2022, has disposed of the said Appeal wherein the hearing had been closed on 23.02.2022. Inviting the attention of the Court to the relevant paragraphs wherein this Court has addressed the rival contentions in answering the substantial questions of law, he submits that at paragraph-11, which is the last paragraph of the judgment, an inadvertent typographical error has crept in which is contrary to the conclusions as have been arrived at in the foregoing paragraphs. He therefore, submits for correction of the said inadvertent typographical error appearing in the last paragraph of the judgment i.e. at paragraph-11 in consonance with the answers given to the substantial questions of law.

His prayer in sum and substance is that the word “allowed” appearing at the first sentence of paragraph-11 of judgment dated 28.02.2022 passed in RSA No.472 of 2006 be replaced by the word “dismissed”.

3. Keeping in view the submission made, the judgment passed by this Court on 28.02.2022 being given a careful reading, this Court finds all the reasons to accept with the submission of Mr.Mishra, the learned Senior Counsel for the Respondents. Accordingly, the word “**allowed**” appearing in the first sentence of paragraph-11 of the judgment is hereby corrected as “**dismissed**”.

The correction is accordingly carried out in the original judgment. The parties who have received the certified copies be accordingly informed with true copy of this order.

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