

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO.48 OF 2019

Bhaskar Chandra Pattanaik

Petitioner

Ms.S.Devi, Adv.

-versus-

Bidyut Prava Pattanaik @ Mohanty & ors.

Opposite Party(s)

Mr.B.C.Panda, Adv. for O.Ps.1 to 3

**CORAM:
JUSTICE BISWANATH RATH**

**Order
No.**

**ORDER
17.5.2022**

8. 1. Heard learned counsel for the Parties.
2. Even though a dispute is raised involving the impugned order that the trial court erroneously recorded regarding available of signature required to be compared with Ext.1 by the Expert, there is in fact no such signature is available to be compared with Ext.1. On the contrary, Mr.B.C.Panda, learned counsel for O.Ps.1 to 3 reading through the claim of the Parties and the discussions submitted that there is appearance of the signature required to be compared in Registered Deed, which is already on Record along with Ext.1.
3. In the circumstance, this Court finds, such allegation having been considered and rejected, it is now up to the Expert to give his opinion but on the basis of signature provided by the Parties for comparison with signature available in Ext.1 and the observation of the trial court has no bearing in the providing of Expert opinion. It

is in this circumstance, there is no scope to interfere with the impugned order.

4. The CMP thus stands dismissed. Interim order dated 22.1.2019 passed in I.A. No.62 of 2019 stands vacated.

(Biswanath Rath)
Judge

M.K.Rout

