

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.41 of 2022

Smita Mohanty

....

Petitioner(s)

Miss. Samapika Mishra.
Advocate

-versus-

Ambika Prasad Mohanty & Ors.

....

Opposite Party(s)

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
07.02.2022**

Order No.

2.

1. Heard learned counsel appearing for the petitioner.
2. For the consistent view of this Court, this Court is not inclined to interfere in the orders involving Order 39, Rule 3 of the Code of Civil Procedure. However, considering the submission of Miss. Mishra, learned counsel for the petitioner that there is in fact no involvement of State opposite party to contest the injunction proceeding and further recording the submission of Miss. Mishra, learned counsel that in the meantime there is already service of notice on the respondents involving I.A.No.139 of 2021, this Court observes in the event there is already appearance of all parties involving I.A. No.139 of 2021, upon filing of certified copy of this order, the I.A. proceeding shall be preponed and will be heard and disposed of within a period of two weeks from the date of service of certified copy of this order which includes at least grant of one week for the purpose of filing of objection by the opposite parties/respondents therein.
3. With this observation, the C.M.P. stands disposed of.

(Biswanath Rath)

Judge