

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 10079 OF 2011

Kageswar Biswal

.... Petitioner

Mr. G.N. Parida, Advocate

-versus-

Rabinarayan Biswal and others

.... Opp. Parties

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
19.12.2022**

Order No.

9. 1. This matter is taken up through hybrid mode.
2. Order dated 19th February, 2011 (Annexure-4) passed by learned Judge (Junior Division), Kendrapara in T.S. No.412 of 1994 is under challenge in this writ petition, whereby an application filed by Defendant No.1 to expunge the evidence of the Plaintiffs (P.Ws.1 and 2) has been rejected.
3. Mr. Parida, learned counsel for the Petitioner submits that in the meantime, T.S. No.412 of 1994 has already been disposed of. Hence, the CMP has become infructuous. He, however, submits that the question of law raised in this writ petition may be kept open to be considered in appropriate case.
4. In view of such submission, this writ petition is disposed of as withdrawn keeping the question of law involved in this writ petition to be raised in appropriate case.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge