

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20688 of 2009

Dasarathi Meher & Ors.

....

Petitioner(s)

Mr. S. Mishra,
Advocate

-versus-

Dhananjaya Banchhor & Ors.

....

Opposite Party(s)

Mr. K. Dang,
Advocate

CORAM:

JUSTICE BISWANATH RATH

ORDER

15.12.2022

Order No.

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1. Heard the submissions of both the parties.
2. There is no dispute at Bar that by the time the MJC was filed and disposed of vide Annexure-4 the Execution proceeding involved herein was already over. The MJC filed herein appears to be in the trap of Section 47 of C.P.C. For the opinion of this Court, once the execution proceeding is already over, there is no scope for entertaining the Section 47 application. This Court, accordingly, observes, there is no infirmity in either of the orders at Annexures-4 & 5.
3. The Writ Petition is, accordingly, dismissed.

(Biswanath Rath)
Judge