

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO. 59 OF 2020

Rabindranath Sahoo ***Petitioner***

Mr. Bibekananda Bhuyan, Advocate

-versus-

Smt. Lalita Nayak and others ***Opp. Parties***

Mr. B.S. Tripathy, Advocate

(For Opp. Party Nos.1 to 4)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

13.10.2022

Order No.

3. 1. This matter is taken up through hybrid mode.
2. This CMP has been filed assailing the order dated 8th January, 2020 (Annexure-5) passed by learned Senior Civil Judge, Second Court, Cuttack in C.S. No.86 of 2009, whereby an application filed by the Plaintiff-Petitioner under Order XXVI Rule 1 C.P.C. for examination of Plaintiff on commission has been rejected.
3. Mr. Bhuyan, learned counsel submits that the Plaintiff-Petitioner has died in the meantime.
4. In that view of the matter, nothing remains to be adjudicated in this CMP.
5. Accordingly, the CMP is disposed of as infructuous.
6. The interim order dated 3rd February, 2020 passed in I.A. No. 67 of 2020 stands vacated.

(K.R. Mohapatra)
Judge

bks