

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.440 of 2018

Masadram Mirdha

....

Petitioner

Mr. G.N.Sahu, Advocate

-versus-

Dayanidhi Senapati and others

....

Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

07.12.2022

Order No.

3.
 1. This matter is taken up through Hybrid mode.
 2. Petitioner in this CMP seeks to assail the order dated 20th June, 2017 (Annexure-2) passed by learned Civil Judge (Senior Division), Padampur in CMA No.2 of 2016 (arising out of Execution Application No.17 of 2011), whereby application filed by the Petitioner under Order XXI Rule 97 CPC has been rejected.
 3. Since the Petitioner admittedly is a *lis pendence* purchaser, petition under Order XXI Rule 97 CPC at his instance is not maintainable in view of provision of Order XXI Rule 102 CPC. Accordingly, this Court is not inclined to interfere in the impugned order.
 4. The CMP stands dismissed being devoid of any merit.

s.s.satapathy

(K.R. Mohapatra)
Judge