

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO. 501 OF 2016

Umakanta Dwibedi

....

Petitioner

Mr. Gouri Mohan Rath, Advocate

-versus-

Hemanta Kumar Dwibedi and others

....

Opp. Parties

Mr. Prasanta Kumar Jena, Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

16.11.2022

Order No.

10. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this CMP seeks to assail the order dated 11th March, 2016 (Annexure-5) passed in Civil Revision No.01 of 2016, whereby learned 1st Additional District Judge, Rourkela dismissing the revision confirmed the order dated 20th February, 2016 (Annexure-3) passed by learned Civil Judge (Senior Division), Rourkela in C.S. No. 42 of 2008 rejecting an application filed by the Petitioner under Order VII Rule 11 C.P.C.
3. In course of hearing, it came to the light that written statement has already been filed and issue with regard to valuation of the suit has already been framed.
4. Since the suit is of the year, 2008, this Court without delving into the merits of the impugned order disposes of this CMP with a direction that learned trial Court shall proceed with the trial of the suit expeditiously, giving opportunity to the parties concerned to lead evidence in support of their case.

Parties are directed to cooperate with learned trial Court for early disposal of the suit.

5. It is made clear that if any of the parties does not cooperate with learned trial Court, it is at liberty to take coercive action against him/her in accordance with law.

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

(K.R. Mohapatra)
Judge

bks

