

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.61 of 2022

Swapna Bharati Dash

....

Petitioner(s)

Mr.S.Hota. Advocate

-versus-

Bhaskar Chandra Panda & Ors.

....

Opposite Party(s)

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
09.02.2022**

Order No.

2.

1. Heard learned counsel appearing for the petitioner.
2. This C.M.P. involves an order rejecting the evidence in chief on affidavit of defendant nos.4 and 5. Undisputedly, there is no pleading by way of the written statement on this issue. In the circumstance, this Court finds once the defendants have no pleading by way of written statement, they are completely debarred from filing evidence on chief. Perused the impugned order. This Court finds there is appropriate reasoning in rejecting the evidence in chief by way of affidavit of such defendants. This Court finds no scope to interfere in such impugned order.
3. The C.M.P. stands dismissed accordingly.

(Biswanath Rath)
Judge