

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO. 92 of 2022

Urbasi Sethi and others ***Petitioners***
Mr. Bibekananda Bhuyan, Advocate
-versus-

Natha Barik ***Opp. Party***
Mr. Narayan Prasad Parija, Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
02.11.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. This CMP has been filed assailing the order dated 16th November, 2021 (Annexure-5) passed by learned Civil Judge (Senior Division), 1st Court, Cuttack in CS No.341 of 2019, whereby counter-claim filed by the Petitioner has been rejected on the ground that issues have already been settled.
3. In view of the order passed by this Court today in CMP No.778 of 2022, the matter with regard to acceptance of counter-claim requires fresh consideration.
4. Accordingly, the impugned order dated 16th November, 2021 is set aside and the matter is remitted back to learned trial Court to take a decision with regard to acceptance of admissibility of counter-claim afresh giving opportunity of hearing to the parties concerned.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge