

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO.101 OF 2022

Sudhansu Kumar Praharaj

....

Petitioner

Mr.M.Mohanty, Adv.

-versus-

Prabir Kumar Kar & anr.

....

Opposite Party(s)

none

**CORAM:
JUSTICE BISWANATH RATH**

ORDER

11.2.2022

Order

No.

01.

1. Heard learned counsel for the Petitioner.
2. There is no denial by the learned counsel for the Petitioner that this very Petitioner had similar attempt in the pendency of trial and the trial court even though rejected the Petitioner's similar claim, the Petitioner did not challenge the said order.
2. Undisputedly, there was similar attempt in the trial court proceeding and the third party having failed in such attempt has not carried the dispute any further through the higher forum. For the opinion of this Court, such Party since remained satisfied with the rejection of such attempt by the trial court is precluded from making any further similar attempt.
3. In the circumstance, this Court finds, there is no infirmity in the impugned order and reject the subsequent attempt of such Party.
4. The CMP thus stands dismissed.

(Biswanath Rath)
Judge

M.K.Rout