

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.118 of 2022

Pramodini Das & Anr.

..... Petitioner(s)

**Mr. A.Ch. Mohapatra,
Adv.**

-versus-

Lingaraj Sahoo & Ors.

..... Opposite Party(s)

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
16.02.2022**

Order No.

01. 1. The Petitioners in the present C.M.P. have challenged the impugned order on the premises that there has been an order favouring the strangers.
2. On perusal of the cause title this Court finds, undisputedly the Opposite Parties have already appeared as defendant nos.1, 4 to 8 & 10.
3. In the circumstance this Court finds, unless the trial court comes to hold them as strangers, there is no scope for the particular parties to treat them as strangers. This Court, therefore, is of the view that for the application moved for allowing temporary repairing by the party to the suit, there is nothing wrong in moving such application. Now coming to examine the allegation of taking advantage of interim order the Opposite Parties are proceeding to undertake the permanent construction, this Court for the nature of dispute finds, there is strength

in the impugned order involved herein and the parties are bound by such direction. In the event there is any deviation / violation, there is also opportunity to the Petitioners to approach trial court with appropriate application.

4. The C.M.P. is disposed of with above observation and direction.

(Biswanath Rath)
Judge

Ayaskanta Jena

