

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMAPL NO.588 OF 2017

Kirtan Behera & ors.

....

Petitioner

Mr.A.Mohanty, Adv.

-versus-

***Member, Board of Revenue, Cuttack
& ors.***

....

Opposite Party(s)

**CORAM:
JUSTICE BISWANATH RATH**

**Order
No.**

**ORDER
30.3.2022**

3. 1. The present CMAPL has been restored on allowing of CMAPAL No.11/2018. CMAPL No.588/2017 again appears as an attempt to restore CMAPL No.487/2017. There appears, there has been already initiation of three CMAPLs involving one non-appearance in the Writ Application, for which the Writ Application involved was dismissed for non-prosecution. The first CMAPL to restore the Writ Application involved got dismissed for non-prosecution. The second CMAPL bearing No.588/2017 was also dismissed for non-prosecution by order dated 4.1.2018. Thereafter, it appears, CMAPL No.11/2018 was filed to restore CMAPL No.588/2017. This Court finds, the Petitioner is in serious lapse.

There have been several non-appearances involving several CMAPLs. The Petitioner is not careful enough.

2. In the process and as this Court finds, the Petitioner involved in series of non-appearances resulting bringing series of CMAPLs. and wasting time of the Court on his own luxury, to have a check on such conduct of the Party, this Court while allowing CMAPL No.588/2017 imposes cost of Rs.3000/- (rupees three thousand) to be deposited in the Advocates' Welfare Fund of the Orissa High Court Bar Association within ten days. Upon filing of receipt of such deposit of cost, CMAPL No.487/2017 may be listed.

M.K.Rout

