

IN THE HIGH COURT OF ORISSA AT CUTTACK
RPFAM NO. 25 OF 2022

Jagannath Nayak

.... ***Petitioner***

Mr. Ramakanta Sahoo, Advocate

-versus-

Moti Nayak

.... ***Opp. Parties***

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
22.02.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this RPFAM seeks to assail the order dated 20th September, 2021 (Annexure-7) passed by learned Judge, Family Court, Keonjhar in Crl. P. Case No. 38 of 2020, whereby he rejected an application of the Petitioner to set aside the order dated 20th February, 2020 passed by learned Judge, Family Court, Keonjhar in Crl.P. No.26 of 2019 and issued D.W. and conditional N.B.W. for realization of interim maintenance of Rs.48,000/-.
3. In course of hearing, Mr. Sahoo, learned counsel for the Petitioner submits that interest of justice will be best served, if the Petitioner pursues the application filed by him under Section 126 Cr.P.C. before learned Judge, Family Court, Keonjhar and makes a prayer for stay of Crl.P. Case No.38 of 2020 to the learned Judge, Family Court, Keonjhar. He, therefore, prays for withdrawal of RPFAM.
4. Considering the submission made by learned counsel for the Petitioner, this RPFAM is disposed of as withdrawn.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge