

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.369 of 2017

Swarnarekha Patnaik

....

Appellant

Mr. Kaniska Rath, Advocate

-versus-

Jagadish Behera and others

....

Respondents

Mr. Debakanta Mohanty, AGA for State

M/s. A.P. Bose, Advocate & Associates

**CORAM:
THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH**

**ORDER
19.10.2022**

Order No.

06. 1. It appears that the civil suit filed by the present Appellant seeking partition of the properties in question is still pending in the Civil Court. The apprehension expressed by learned counsel for the Appellant is that the observations made by the learned Single Judge on merits in the impugned order might affect the outcome of the said suit. Further, it is apprehended that the mutation ordered by the learned Single Judge by the impugned order might become final and render the suit itself infructuous.
2. To allay the apprehension, it is clarified that no observation made by the learned Single Judge on merits in the impugned order will

affect the outcome of the pending civil suit and further that the mutation ordered will itself be subject to the result of the civil suit.

3. With the above clarifications, the present writ appeal is disposed of.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

S. Behera

