

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO.134 OF 2022

Narayan Chandra Mohanty ***Petitioner***

Mr.L.Mishra, Adv.

-versus-

Damodara Mohapatra & ors. ***Opposite Party(s)***

Mr.S.B.Das, Adv. for O.P.1

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
27.4.2022
I.A.NO.352 OF 2022**

**Order
No.**

- 6.
1. Heard learned counsel for the Parties.
 2. Considering the submissions made, prayer for amendment stands allowed. Learned counsel for the Petitioner is permitted to make necessary correction in the Cause Title of the CMP in Court itself.
 3. I.A. stands disposed of.

(Biswanath Rath)
Judge

CMP NO.134 OF 2022

- 7.
1. Considering the submission on the requirement considered in the impugned order, this Court finds, unless the Plaintiff is permitted to bring the required documents, there is no possibility of effective

adjudication. This Court also finds, there is an attempt by the Plaintiff to bring in registered sale deeds to strengthen his case. At the same time, this Court also bears in mind the suffering of the Defendants looking to the timing of bringing such documents undisputedly after the evidence is closed.

2. It is keeping the suffering in view and in order to achieve just decision involving the Suit, this Court while interfering with the impugned order dated 2.2.2018 involving C.S. No.174 of 2011 sets aside the same and allows the Application of the Petitioner seeking introduction of sale deeds indicated herein above.

3. For the new introduction of documents as there is already closure of evidence, Parties if desire may apply for re-opening of evidence either in chief or cross-examine but only involving such documents and pleadings supporting such documents. In such event, both the Parties will be allowed to their such attempt. The above order is however subject to release of cost of Rs.10,000/- (rupees ten thousand) deposited in this Court. Registry is directed to release the said cost deposited by the Petitioner in favour of the O.Ps. on proper application. For there is already inordinate delay, this Court directs both the Parties to appear in the Suit on 4.5.2022 along with copy of this order. The trial court is also directed to conclude the further

proceeding in the Suit at least within a period of six months from the date of communication of this order.

4. With the above order, the CMP stands disposed of.

(Biswanath Rath)
Judge

M.K.Rout

