

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.587 of 2017

Parbati Das

..... Petitioner

Mr. Soumya Sourav, Advocate

-versus-

Pratima Behera

.... Opp. Party

Mr. Devi Prasad Dash, Advocate

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
29.09.2022**

Order No.

4.
 1. This matter is taken up through hybrid mode.
 2. Petitioner in this CMP seeks to assail the order dated 27th April, 2017 (Annexure-4) passed by learned Civil Judge (Senior Division), Bhubaneswar in CS No.7201 of 2015, whereby an application filed under Order VI Rule 17 CPC by the Defendant/Petitioner has been rejected.
 3. In course of hearing, Mr. Dash, learned counsel for Plaintiff/Opposite Party submits that he has no objection if the amendment sought for in the petition under Order VI Rule-17 CPC (Annexure-3) is allowed.
 4. This Court also finds that although the amendment sought for is lengthy, but it is explanatory in nature. In that view of the matter, the impugned order is set aside. Amendment sought for by the Defendant/Petitioner is allowed. The Defendant/Petitioner shall file a consolidated written statement by 12th October, 2022. Upon receipt of consolidated written

statement, learned trial Court shall proceed with the matter in accordance with law.

5. With the aforesaid observation and direction, the CMP is disposed of. Parties are directed to cooperate learned trial Court for early disposal of the suit.

6. Interim order dated 17th May, 2017 passed in Misc. Case No.667 of 2017 stands vacated.

Issue urgent certified copy of the order on proper application.



s.s.satapathy