

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.147 of 2022

T. Balaram Kissan

....

Petitioner(s)

Mr. S.S. Kashyap,
Advocate

-versus-

Ranjan Kumar Sahu & Ors.

....

Opposite Party(s)

CORAM:

JUSTICE BISWANATH RATH

ORDER

03.03.2022

Order No.

01.

1. There is a serious allegation regarding pendency of an application U/o. 39 rule 1 & 2 of C.P.C in the trial court even after appearance of the Opposite Parties therein. This Court is of the considered view that once the parties appeared in the proceeding involving an application U/o.39 rule 1 & 2 of C.P.C, all endeavor should be made by the trial Court or the Court where such application is still pending, to dispose of such application within a short period at least to avoid multiplicity of litigations and danger to the property involved therein. Keeping this in view, this Court directs the trial court, in the event the application U/o.39 rule 1 & 2 of C.P.C vide I.A. No.34 of 2021 is still pending even after appearance of the parties therein and in the event the Opposite Parties therein have not come forward with objection, they may be provided with maximum seven days' time to file their objections

from the date of communication of an authenticated copy of this order by the Petitioner and the I.A. No.34 of 2021 shall be disposed of within a period of two weeks thereafter.

2. With the aforesaid observation and direction the Civil Miscellaneous Petition stands disposed of.

(Biswanath Rath)
Judge

Ayaskanta Jena

