

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.152 OF 2022

***Kandula Badrinarayan @ K.
Badrinarayan***

....

Petitioner(s)

Mr.S.Mantri,
Advocate

-versus-

***Sri Sri Rukmini Radhakrishna
Mahaprabu & Anr.***

....

Opposite Party(s)

CORAM:
JUSTICE BISWANATH RATH

ORDER
04.03.2022

Order No.
01.

1. There is fundamental loss in approaching through CMP. When the application under Section 10 of the C.P.C. is involved, both the plaintiffs should have been accompanied with the CMP to at least have an understanding of the application of Section 10.
2. In the circumstance, this matter stands adjourned to seven days after. It is at this stage Mr. Mantri, learned counsel for the Petitioner makes a statement that the CMP has been filed without accompanying the plaint in both the cases. This Court therefore is not inclined to entertain the CMP. However, considering the request made by Mr.Mantri, learned counsel for the Petitioner this Court permits the Petitioner to withdraw the CMP with liberty to file a better CMP accompanying all the documents.
4. This CMP is disposed of as withdrawn but with liberty as prayed for.

5. Considering the oral prayer of the petitioner this Court directs the Registry to return the certified copy of the impugned order in question to the Petitioner by keeping a true Xerox copy thereof.

(Biswanath Rath)
Judge

S.P. Dash

