

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.162 of 2022

Brajabandhu Nayak & Ors. ***Petitioner(s)***
Mr. M. Mohanty,
Advocate

-versus-

Dushasan Nayak ***Opposite Party(s)***

**CORAM:
JUSTICE BISWANATH RATH**

ORDER
28.02.2022

Order No.

01. 1. Considering that the claim here is resting only on the creation of impediment for the impugned order on the passage of the parties involving egress and ingress from their own houses to public road, for the request made to entertain such dispute and for the Petitioners made it clear that the Petitioners have no objection on the nature of relief already granted, but however, subject to the clarity on the above aspect, since this Court here finds, Petitioners have clear pleadings to this effect in the paragraph no.2 of their objection with demonstration of the same through photographs even, this Court is of the view that in the event there is urgent need in the modification of the order of the trial court, keeping in view the challenge to the limited extent by the Petitioners, this Court though declines to interfere in the impugned order, however permits the Petitioners to seek clarification by way of an application U/s.151 of

C.P.C. to the trial court. It is further directed that in the event any such application for clarification is brought by Friday (4th February, 2022), the same shall be decided at least within a period of seven days thereafter.

2. The Civil Miscellaneous Petition stands disposed of accordingly.

(Biswanath Rath)
Judge

Ayaskanta Jena

