

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO.220 OF 2022

UCO Bank

....

Petitioner

Mr.S.K.Mohanty, Adv.

-versus-

Purnima Agrawal & ors.

....

Opposite Party(s)

**CORAM:
JUSTICE BISWANATH RATH**

**Order
No.**

**ORDER
22.3.2022**

3. 1. Heard learned counsel for the Petitioner.
2. This CMP is filed to take out the suit involved on the premises of not being maintainable. Undisputedly, the very Party has already moved an Application under Order 7 Rule 11 of C.P.C. pending before the trial court.
3. For the opinion of this Court, during pendency of the above Proceeding, there is no scope with the High Court to undertake the exercise of taking out the suit. Thus while dismissing the CMP, as not maintainable at this stage, this Court observes, in the event the Petitioner herein requests the trial court for early disposal of the Application under Order 7 Rule 11 of C.P.C., the trial court shall do well in taking decision on the same at least within a period of one and half months from the date of such asking.

(Biswanath Rath)
Judge

M.K.Rout