

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.260 of 2022

Shyamsundar Mohanty

....

Petitioner(s)

Mr. A.P. Bose,
Advocate

-versus-

Minati Pattnaik & Anr.

....

Opposite Party(s)

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
05.04.2022**

Order No.

01. 1. The suit involved herein is pending since 2011.
2. Considering the submission made by the learned counsel for Petitioner and in the event there is no admission of the RFA No.75 of 2018 and calling for the records, this Court finds, there is no prevention on the part of the Executing Court in concluding the execution proceeding. In the process, this Court directs the trial court to expedite the hearing in Execution Case No.36 of 2018 and make all attempts to conclude the same within a period of six months from the date of communication of an authenticated copy of this order by the Petitioner. The trial court is also directed to take into consideration the direction of the Hon'ble apex Court in the case of ***Rahul S. Shah Vs. Jinendra Kumar Gandhi & Ors.*** in Civil Appeal Nos.1659-1660/2021 as reported in AIR 2021 SC 2161 & (2021) 6 SCC 418.

3. The Civil Miscellaneous Petition stands disposed of with the above direction.

(Biswanath Rath)
Judge

Ayaskanta Jena

