

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**C.M.P. No.274 of 2022**

*Sanghamitra Sahu & Anr.*

....

***Petitioner(s)***  
Mr. A.Mishra, Advocate

-versus-

*Santilata Rath & Anr.*

....

***Opp.Party(s)***

**CORAM:**  
**JUSTICE BISWANATH RATH**  
**ORDER**  
**07.04.2022**

**Order No.**

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1. This Civil Miscellaneous Petition is confined to the order of rejection of an application at the instance of the petitioners dated 21.03.2022 for providing opportunity to cross-examine the witness of the plaintiff as find place at Annexure-2.
2. Heard the submission of learned counsel appearing for the petitioners. Undisputedly, the written statement of the defendant has been blocked. The application involved herein was rejected vide impugned order involving the application for recalling of the plaintiff witness already examined, for cross-examination purpose. This Court considering that the petitioners knowing fully well that their application has been rejected with lawful reasons, did not involve themselves for examination of the plaintiff witness. Further, this Court also observes, these petitioners are busy in filing applications after applications creating hurdles in the disposal of the suit.. For the submission of learned counsel for the petitioners, this Court does not find any plausible ground for bringing the plaintiffs witness back for cross-examination purpose as they in spite of having several opportunity did not avail the same.
3. In the circumstance, this Court finds, there is right consideration of this issue by the trial court requiring no interference in the impugned order.

***(Biswanath Rath)***  
***Judge***