

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP NO.275 OF 2022

Dinesh Prasad Pattnaik

....

Petitioner

Mr.N.Behuria, Adv.

-versus-

Diptish Prasad Pattnaik & ors.

....

Opposite Party(s)

CORAM:
JUSTICE BISWANATH RATH

Order
No.

ORDER
8.4.2022

1.

1. Heard learned counsel for the Petitioner.

2. For the opinion of this Court, allowing the amendment of the Plaint before commencement of the trial will be amounting to formation of additional pleading and the Defendant has the scope for filing written statement. Objection raised herein can very well be brought by way of written statement to oppose the new pleading brought by way of amendment.

3. In the circumstance, this Court is not inclined to interfere with the impugned order. While disposing of the CMP, this Court observes, in the event the amended Plaint is not filed, it should be filed within seven days of communication of this order. The Petitioner should get the scope of additional written statement, which may be filed within fifteen days hence and the trial may be concluded within reasonable period of time.

4. The CMP thus stands disposed of.

(Biswanath Rath)
Judge

M.K.Rout

