

IN THE HIGH COURT OF ORISSA AT CUTTACK

**CMAPL No.149 Of 2022
(Through hybrid mode)**

SBI General Insurance

....

Petitioner

Mr. P.C. Panda Advocate

-versus-

Mass Samalai Rice Mill and others

....

Opposite parties

Mr. P.V. Balakrishna, Advocate

CORAM: JUSTICE ARINDAM SINHA

**Order
No.**

**ORDER
28.09.2022**

4.

1. Mr. Panda, learned advocate appears on behalf of applicant and submits, the application is for restoration of the writ petition, dismissed for default by order dated 8th March, 2022.

2. Mr. Balakrishna, learned advocate appears on behalf of the bank (opposite party no.3). He points out, purported reasons have been given in paragraphs 7, 8 and 9 in the application.

3. Applicant has given reason of the writ petition having had been suddenly listed on 4th March, 2022, there was no otherwise communication to engaged learned advocate and hence there was no appearance at the time of call and dismissal.

4. Court chooses not to take exception to the reason given.

Applicant must understand that listing of a writ petition, even at

instance of Court, is sufficient notice. By reason of mounting pendency, there has been request from the bar to suo motu list writ petitions.

5. Since the application has been made in time, Court is inclined to and recalls order dated 8th March, 2022, to restore the writ petition to file and number.

6. The application is disposed of.

7. List the writ petition on 26th October, 2022.

(Arindam Sinha)
Judge

Sks

