

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.328 of 2020

Annapurna Satpathy & Ors.

....

Petitioner(s)

Mr. B. Bhuyan,
Advocate

-versus-

Deba Dutta Ratha & Ors.

....

Opposite Party(s)

Mr. A.P. Bose,
Advocate for O.P.1

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
04.05.2022**

Order No.

05.

1. Undisputedly the Civil Suit involved herein was finally disposed of on 2.12.2021. For the suit being disposed *ex parte*, there is also submission by both the parties that there is pendency of an application U/o.9 Rule 13 of C.P.C. For the view of this Court, unless the suit gets restored, dispute involved herein has no scope for being considered. This Court, accordingly, while disposing of the C.M.P., however, keeps the option of the Petitioner to challenge the order at Annexure-4 open and the same will be dependent on the ultimate outcome in the proceeding U/o.9 Rule 13 of C.P.C.

(Biswanath Rath)
Judge