

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO.297 OF 2022

Aswini Kumar Behera

....

Petitioner

Mr.N.P.Patra, Adv.

-versus-

Prasanna Kumar Mohapatra & ors.

....

Opposite Party(s)

CORAM:

JUSTICE BISWANATH RATH

Order

No.

ORDER

27.4.2022

1. Heard learned counsel for the Petitioner.
2. Defendant No.1 as the Petitioner objects to the substitution at the instance of the legal heirs of the deceased-Plaintiff on the premises that when a part of the L.R. chose to be brought on Record by way of substitution, other part has been left out. For the opinion of this Court, it is for the Plaintiff to decide to whom he will bring on Record and file application accordingly and if there is any lapse in bringing the appropriate parties, the Plaintiff has to suffer. Defendants have no prejudice in such attempt.
3. In the circumstance, this Court finds no infirmity with the impugned order to be interfered with. The CMP thus stands rejected.

(Biswanath Rath)
Judge

M.K.Rout