

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO.300 OF 2022

Dimple Routray @ Sahoo

....

Petitioner

Mr.S.N.B.Ray, Adv.

-versus-

Sarthak Nandan Sahoo & ors.

....

Opposite Party(s)

CORAM:

JUSTICE BISWANATH RATH

Order

No.

2.

ORDER

4.5.2022

1. Heard learned counsel for the Petitioners.
2. Learned counsel for the Petitioner submitted that the order dated 8.11.2019 involves declaring Plaintiff No.2, as abated. This Court from Annexure-2 finds, the Petitioner has filed an Application under Section 152 read with Order 22 Rule 9 of C.P.C. indicating even though Plaintiff No.2 died during pendency of the Civil Suit, the Legal Heirs involving Plaintiff No.2 were already on Record. It is thus claimed, there was no question of declaring Plaintiff No.2 as abated.
3. Issue notice to the O.Ps. on the question of admission by Speed Post with A.D. or Registered Post with A.D. fixing a short returnable date. Requisites be filed within three working days.
5. Place this matter immediately after appearance of the O.Ps.

(Biswanath Rath)
Judge

I.A.NO.353 OF 2022

2. 1. Issue notice as above. Accept one set of process fee. As an interim measure, it is directed that the proceeding involving C.S. No.307/2017 pending before the Civil Judge (Sr.Divn.), Rourkela may continue but there shall be no conclusion of hearing without leave of this Court.

(Biswanath Rath)
Judge

M.K.Rout

