

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17075 of 2010

Kumudini Nayak and others

Petitioners
....
Mr. N. P. Parija, Advocate

-versus-

Jhari Charan Nayak (dead) and others ...

Opposite Parties

None

**CORAM:
THE CHIEF JUSTICE**

Order No.

ORDER
16.09.2022

Misc. Case No.9102 of 2013 and I.A. No.10724 of 2018

03. 1. For the reasons stated therein, these applications for substitution vice deceased Opposite Party No.1 and Opposite Party No.3 are allowed.
2. The legal representatives (LRs) of the deceased Opposite Party No.1 and Opposite Party No.3 are substituted in their place as indicated in the “substitution sought for” and in the “schedule to the application” respectively and they are brought on record.

W.P.(C) No.17075 of 2010

3. It will be open to the Petitioners to urge before the trial Court that the issues, which have been permitted to be raised by virtue of the amendment, are time barred and request the trial Court to frame specific issues regarding the limitation aspect of the newly raised points by virtue of the amendment.

4. With this clarification, the Court declines to interfere with the impugned order of the trial Court.

5. The writ petition is accordingly dismissed. The interim order passed earlier stands vacated. A copy of this order be communicated to the concerned Court forthwith.

(Dr. S. Muralidhar)
Chief Justice

M. Panda

