

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.4770 of 2005

Central Bank of India, Cuttack Branch

Petitioner(s)
Mr. P.K.Mohapatra,
Advocate

-versus-

M/s. South East Agency & Ors.

Opp.Party(s)

CORAM:
JUSTICE BISWANATH RATH

ORDER
05.04.2022

Order No.

5.

1. Heard submission of Mr. Mohapatra, learned counsel for the petitioner.

2. This Petition involves rejection of a memo moved by the plaintiff in the pendency of an application for restoration of the suit itself. Memo filed by the plaintiff requiring a direction of the trial Court for dispensing notice on the opposite parties having been rejected giving raise to this writ petition.

3. Considering the submission of Mr.Mohapatra, learned counsel for the petitioner and on perusal of the ground in the rejection order, this Court finds no infirmity in the same. For there is stay order operating, while vacating the stay order, in disposal of the writ petition this Court permits to the petitioner to go by the direction in the order dated 04.01.2005.

4. With this observation the writ petition stands disposed of.

(Biswanath Rath)
Judge