

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**C.M.P. No.338 of 2022**

***Surendra Behera***

....

***Petitioner(s)***

Mr. B. Mohanty,  
Advocate

***-versus-***

***Saigdha Pothal & Ors.***

....

***Opposite Party(s)***

**CORAM:**

**JUSTICE BISWANATH RATH**

**ORDER**

**02.05.2022**

**Order No.**

01.

1. Petitioner has serious allegation that even after passing of several dates after allowing the amendment application, the Plaintiff is not filing the amended plaint thereby unnecessarily delaying the suit.

2. Considering that the Petitioner prays for expeditious disposal of the suit, however at this stage taking into account that there is already allowing of the amendment this Court directs, in the event there is no amended plaint filed even after allowing of such amendment application on 6.12.2021, it would be open to the Petitioner to file application for recalling the order allowing amendment of the plaint itself before the trial court and in such event the trial court shall do well in taking a lawful decision in the matter and also in facilitating expeditious trial of the suit.

3. The C.M.P. stands disposed of with the above direction.

***(Biswanath Rath)***

***Judge***