

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.342 of 2022

Anjan Kumar Nayak & Anr.

....

Petitioner(s)

Mr. A. Routray,
Advocate

-versus-

Siba Prasad Nayak & Ors.

....

Opposite Party(s)

CORAM:

JUSTICE BISWANATH RATH

ORDER

02.05.2022

Order No.

01.

1. There is serious allegation by the learned counsel for the Petitioners that even after the suit set *ex parte*, the I.A. having been filed since 2015, has not been taken up as yet.

2. Keeping the above allegation made by the learned counsel for Petitioners in view, this Court finds strange in the attitude of the trial court in keeping the I.A. pending for long period. In the process, this Court directs, provided the parties to contest are already appeared in the I.A. No.130 of 2015, all attempts shall be made by the learned Civil Judge (Sr. Divn.), Pattamundai to dispose of the I.A. No.130 of 2015 within a period of two months from the date of communication of an authenticated copy of this order by the Petitioners and if necessary, steps for issuing notice through Special Messenger shall be undertaken at the cost of the Petitioners.

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

(Biswanath Rath)
Judge