

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.343 of 2022

Anjan Kumar Nayak & Anr.

....

Petitioner(s)

Mr. A. Routray,
Advocate

-versus-

Manmath Nayak

....

Opposite Party(s)

CORAM:

JUSTICE BISWANATH RATH

ORDER

02.05.2022

Order No.

01.

1. This is the fourth 4th consecutive case on this date itself by the same Petitioner namely Anjan Kumar Nayak involving C.S. No.165 of 2015 alleging non-disposal of the I.A. pending since 2020. Today in filing C.M.P. No.340 of 2020 the Plaintiff-Petitioners alleged that even after the defendants was set *ex parte* long since, the trial court is not proceeding for hearing of the suit therein and thus sought for targeting the suit. In C.M.P. No.341 of 2022 the Plaintiff-Petitioners alleged that in spite of filing of the I.A. since 2021 (I.A. No.56 of 2021) the trial Court is not undertaking the exercise of disposal of the I.A., again a targeting direction is sought for. In filing C.M.P. 342 of 2022 involving same suit, it is again alleged that the trial court is not undertaking the exercise of disposal of the I.A. pending therein since 2015 (I.A. No.130 of 2015). Present one is the forth case alleging pendency of the I.A. No.167 of 2020 since. This Court takes serious note on the attitude of the Civil Judge (Sr. Divn.), Pattamundai in not showing even interest in disposal of miscellaneous application. There cannot be more lethargic

attitude on the part of the Civil Judge (Sr. Divn.), Pattamundai in taking up matters than this.

2. Considering the above, this Court directs the trial court to dispose of the application involved herein at least within a period of two months from the date of communication of an authenticated copy of this order by the Petitioners.

3. Registry of this Court is directed to bring a copy of this order along with copy of all the C.M.Ps. to the notice of the Hon'ble Administrative Judge of the Kendrapara District for consideration and doing the needful in Administrative side.

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

(Biswanath Rath)
Judge

Ayaskanta Jena

