

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A.No.446 of 2013

Dr. Pravabati Kar

.... Appellant

Mr. S.N. Kar, Advocate

-versus-

Braja Sundar Nanda and others

.... Respondents

Mr. Biswa Prakash Dhal, Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK**

**ORDER
04.07.2022**

Order No.

16. 1. Mr. B.P. Dhal, learned counsel appearing for the Respondents points out that the present Appellant has herself unconditionally withdrawn the suit being C.S. No. 654 of 2011 on dated 17th October 2015, pending in the Court of Civil Judge (Senior Division), Cuttack.
2. The challenge in the writ petition was to the vires of the Stamp Act, arising from the filing of the said suit involving the payment of stamp duty. If the suit itself stands withdrawn, then the prayers in the writ petition and consequently the present writ appeal do not survive to be considered.

3. Mr. Kar, learned counsel for the Appellant states that a CMA has been filed for recall of the withdrawal order. Depending on the outcome of the said CMA, the present writ appeal can be revived.

4. The writ appeal is accordingly disposed of.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge

S. Behera

