

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.414 of 2022

Golekha Naik & Anr.

....

Petitioner(s)

Mr. B.B. Routray,
Advocate

-versus-

Laxmi Naik & Ors.

....

Opposite Party(s)

CORAM:

JUSTICE BISWANATH RATH

ORDER

19.05.2022

Order No.

01.

1. On the own submission of learned counsel for the Petitioners, there is no sufficiency of notice on the Respondent Nos.5, 7 to 10. On his own submission of the Petitioners' counsel, there is also no appropriate attempt by the Appellants for service of notice through substituted mode as yet.

In the circumstance, this Court finds, the appeal cannot be targeted for there is no completion of service of notice on all the respondents. It is, at this stage of the matter, learned counsel for Petitioners prays for withdrawal of the C.M.P. with liberty to the Petitioners to approach the trial court for service of notice on the respondents under the provision of Order 5 Rule 20 of C.P.C.

2. The C.M.P. stands disposed of as withdrawn but with liberty as prayed for.

(Biswanath Rath)
Judge