

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 418 of 2022

Sankar Behera

..... Petitioner

Mr.Subrata Panda, Advocate

-versus-

Bidyadhar Mohapatra and another

.... Opp. Parties

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
15.07.2022**

Order No.

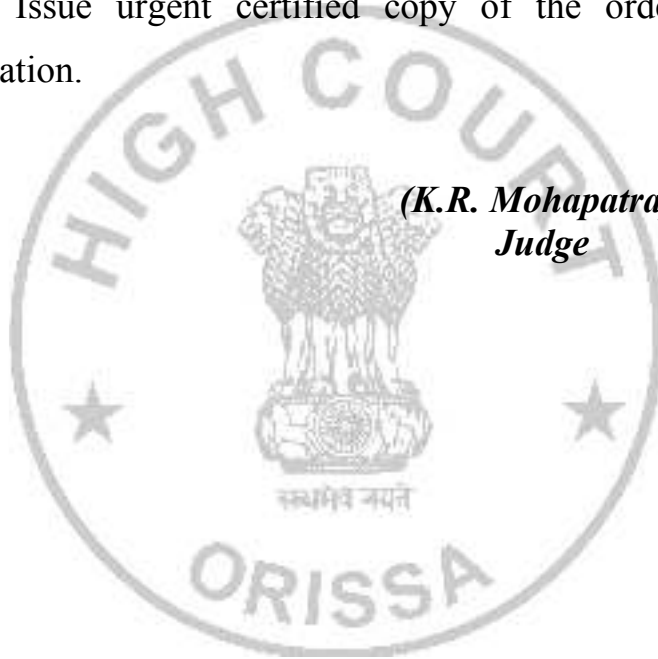
2.
 1. This matter is taken up through Hybrid mode.
 2. This CMP has been filed for a direction to learned Civil Judge (Junior Division), Dhenkanal for early disposal of CS No.131 of 2015 pending before him.
 3. Mr. Panda, learned counsel for the Petitioner submits that the suit has been filed by the Plaintiff/Petitioner for declaration of right, title and interest over the land in question and for cost. The Defendants have already entered appearance and filed their written statement. It is further submitted that trial of the suit has already commenced but due to non-cooperation of the Defendants it could not proceed. It is his submission that there is no legal impediment for early disposal fo the suit. He, therefore prays for the aforesaid relief.
 4. Taking into consideration the submission of learned counsel for the Petitioner and the order sheets annexed to the CMP as Annexure-2, it appears that the suit is posted for hearing. On many occasions, the matter is getting adjourned either due to non-appearance of both parties or due to adjournments taken by them. Thus, this Court is of the

considered opinion that the parties to the suit are not cooperating learned trial Court for early disposal of the suit.

5. In view of the above, the CMP is disposed of with a direction that parties to the suit shall cooperate with learned trial Court for early disposal of the suit. In that event, learned trial Court shall make an endeavour for early disposal of the suit, if there is no legal impediment. It is open to learned trial Court to take coercive action in accordance with law, if any of the parties does not cooperate for early disposal of the suit.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge



s.s.satapathy