

IN THE HIGH COURT OF ORISSA AT CUTTACK

C.M.P. No.639 of 2019

Natabara Behuria

.... ***Petitioner(s)***

Mr. D.P. Mohanty,
Advocate

-versus-

Basanti Swain & Ors.

.... ***Opposite Party(s)***

Mr. S.K. Mallick,
Advocate for O.P.1

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
19.05.2022**

Order No.

04.

1. This C.M.P. involves rejection of an application U/o.6 Rule 17 of C.P.C. at the instance of one defendant. The amendment appears to have been sought for on the premises of some sale taking place during pendency of the suit and also involving the suit property.

2. Considering that the transaction falls in the category of the *lis. pendens*, this Court finds, there is no necessity of bringing such amendment, as finally the *lis pendens* purchaser has to follow the suit of the vendor who is already a party to the suit.

In the circumstance, this Court is not inclined to interfere in the impugned order.

3. The C.M.P. stands dismissed.

(Biswanath Rath)
Judge