

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 445 of 2022

Jagadish Pradhan

.....

Petitioner

Mr. Tarinee Tripathy, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Dillip Kumar Mishra,
Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

30.06.2022

Order No.

3.
 1. This matter is taken up through Hybrid mode.
 2. Petitioner in this CMP seeks for a direction for early disposal of CMA No.2 of 2018 (arising out of IA No.34 of 2016/ CS No.35 of 2016) filed under Order XXXIX Rule 2(A) of CPC.
 3. Mr. Tripathy, learned counsel for the Petitioner submits that alleging violation of order of injunction granted in IA No.24 of 2016, the Petitioner has filed CMA No.2 of 2018 under Order XXXIX Rule 2(A) CPC. Although the matter is ready for hearing and there is no legal impediment for early disposal of the same, learned Senior Civil Judge, Nuapada is not taking up the matter for which the Petitioner is highly prejudiced. Further taking advantage of the situation, the Opposite Parties are creating disturbance and harassing the Petitioner. In that view of the matter, he prays for early disposal of the matter.
 4. Had the order sheet in CMA No.2 of 2018 been filed in this case, it would have thrown some light on the status of the

CMA. Hence, this Court is not in a position to consider the prayer for early disposal of the CMA No.2 of 2018.

4.1 However, the CMP is disposed of with a direction that in the event the Petitioner files an application before the learned Senior Civil Judge, Nuapada for early disposal of CMA No.2 of 2018 stating the ground therein within a period of two weeks hence along with certified copy of this order, learned trial Court shall do well to entertain the same within a period of two weeks therefrom and make an endeavour for disposal of the CMA expeditiously in accordance with law, if there is no legal impediment for early disposal of the CMA No.2 of 2018.

Issue urgent certified copy of the order on proper application.

s.s.satapathy

