

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CMP No.450 OF 2022**

***Pankajini Padhan***

***Petitioner***

Mr. Gopinath Mishra, Advocate

*-versus-*

***Kiran Bhoi and others***

***.... Opp. Parties***

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

**ORDER**  
**21.07.2022**

**Order No.**

3.
  1. This matter is taken up through hybrid mode.
  2. The Petitioner in this CMP seeks to assail the order dated 30<sup>th</sup> March, 2022 (Annexure-2) passed by learned District Judge, Sambalpur in F.A.O. No.8 of 2017, whereby he confirmed the order dated 27<sup>th</sup> March, 2017 passed by learned Senior Civil Judge, Sambalpur in I.A. No.1 of 2017(arising out of C.S. No.21 of 2017) rejecting an application filed under Order XXXIX Rules 1 and 2 C.P.C.
  3. In course of hearing, Mr. Mishra, learned counsel for the Petitioner submits that interest of justice will be best served, if the suit is disposed of at an early date keeping in mind the facts and circumstances of the case. It is his submission that pleadings are complete in the suit and there is no legal impediment for early disposal of the same.
  4. Taking into consideration the submission made by learned counsel for the Petitioner, this Court is of the considered opinion that targeting the suit at this stage may not be proper as this Court is not aware of the stage of the suit in

which the same is pending. It is, however, observed that in the event, the Petitioner files an application for early disposal of the suit stating the grounds therein within a period of two weeks hence along with certified copy of this order, learned Senior Civil Judge, Sambalpur shall do well to consider such application for early disposal of the suit in accordance with law and proceed with the suit, if there is no legal impediment.

Urgent certified copy of this order be granted in proper application.

**(K.R. Mohapatra)**  
**Judge**



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