

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No. 453 OF 2022

Rusi Behera

Petitioner

Ms. Seema Pattjoshi, Advocate

-versus-

Bhanumati Behera and others

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

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
04.07.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this CMP seeks for a direction to learned Civil Judge (Senior Division), Bhawanipatna for early disposal of C.S. No.31 of 2013.
3. Ms. Pattjoshi, learned counsel for the Petitioner submits that C.S. No.31 of 2013 has been withdrawn. However, the counter claim is pending for adjudication and is at the stage of argument. Due to non-cooperation of the Opposite Parties to the CMP, the counter claim is not being disposed of and the same is being adjourned to different dates. She, therefore, prays for a direction for early disposal of the counter claim filed in C.S. No.31 of 2013.
4. Upon hearing, learned counsel for the Petitioner and on perusal of the order sheet, it appears that right from 17th July, 2022, the suit is being adjourned either due to absence of learned counsel for the parties or petitions filed by them. Although it is submitted that the C.S. No.31 of 2013 has already been disposed of and the counter claim is pending,

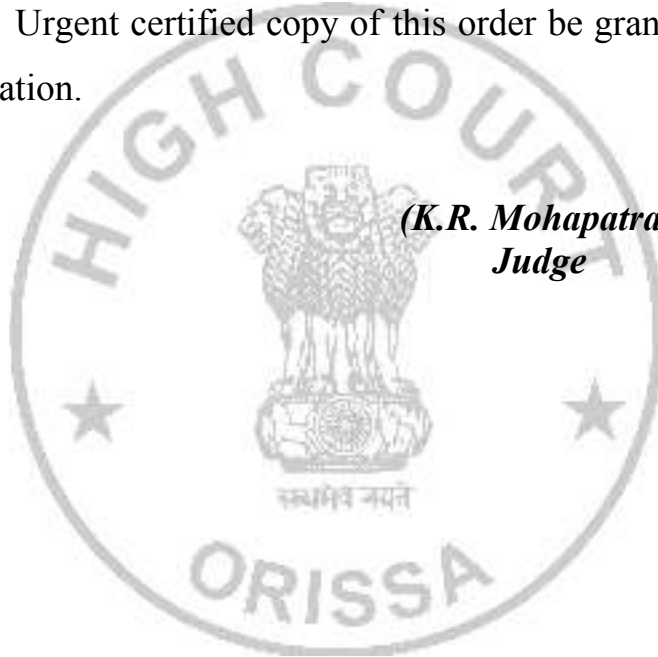
there is no material on record in support of the same annexed to the CMP. Hence, I am not in a position to issue direction for early disposal of the civil suit/counter claim.

5. It is, however, observed that learned Civil Judge (Senior Division), Bhawanipatna shall do well to take steps for early disposal of C.S. No.31 of 2013/the counter claim filed therein in accordance with law, if there is no legal impediment.

6. Parties are directed to co-operate with learned trial Court for early disposal C.S. No.31 of 2013.

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

(K.R. Mohapatra)
Judge



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