

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No. 458 OF 2022

Mahavir Dharua

Petitioner
Mr. Prasanna Kumar Mishra,
Advocate

-versus-

Tularam Sahu and another

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

CORAM:
JUSTICE K.R. MOHAPATRA

Order No.

ORDER
21.06.2022

01. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this CMP seeks to assail the order dated 21st March, 2022 passed in C.M.A. No.04 of 2015 whereby learned Additional District Judge, Padampur rejected an application filed under Order XLI, Rule 21 of C.P.C.
3. In course of hearing, Mr. Mishra, learned counsel for the Petitioner submits that since the Petitioner has a remedy of appeal to challenge the *ex-parte* judgment and decree dated 31st March, 2014 passed in RFA No. 57/18/8 of 2007-08/201, the Petitioner wants to withdraw the CMP to avail the statutory remedy.
4. Considering such submission, the CMP is disposed of as withdrawn.

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

(K.R. Mohapatra)
Judge