

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO. 460 OF 2022

Japamali Bhaisa

..... Petitioner

Mr. Shambhu Charan Nath Sharma,
Advocate

-versus-

Harekrushna Ghusi and others

.... Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

03.08.2022

Order No.

2.
 1. This matter is taken up through hybrid mode.
 2. This CMP has been filed seeking for a direction to the learned District Judge, Jharsuguda to transmit the LCR in C.S. No.98 of 2002 to the Court of learned Civil Judge (Junior Division), Jharsuguda to enable the Plaintiff-Petitioner to move an application for withdrawal of the suit.
 3. Considering the submission made by learned counsel for the Petitioner, this Court vide order dated 5th July, 2022 called for a report from learned District Judge, Jharsuguda about the availability of the original case record in C.S. No.98 of 2022. Pursuant to such direction, learned Additional District Judge, Jharsuguda vide his Letter No.608 dated 8th July, 2022 communicated to this Court that CRP No.02 of 2018 is pending before him. The original case record of C.S. No. 98 of 2002 is available in the said case record.
 4. As the Petitioner prays for sending back the original case record of C.S. No.98 of 2002 to enable him to move an

application for withdrawal of the suit, this Court directs the learned Additional District Judge, Jharsuguda to send back the original case record of C.S. No.98 of 2002 to the learned Civil Judge (Junior Division), Jharsuguda at an early date keeping the photocopy of the same for adjudication of CRP No.02 of 2018. Learned Additional District Judge, Jharsuguda shall act upon production of certified copy of this order.

5. With the aforesaid direction, the CMP is disposed of.

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

(K.R. Mohapatra)
Judge



bks