

IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.179 of 2005

Basudev Behera

.... ***Appellant***
Mr.P.K. Padhi, Advocate

-versus-

Kasinath Barik & Others

.... ***Respondents***
Mrs. S. Mohanty, Advocate(R-1),
Mr. P. Mohanty, Sr. Advocate(R-2 to 4)

CORAM:

MR. JUSTICE D.DASH

ORDER

09.05.2022

Order No.

09. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. None appears on behalf of the Appellant when the matter is called. Mrs. Subhashree Mohanty, learned Counsel who was holding power for Respondent No.1 being present submits that Respondent No.1 has died since long and she has no further instruction in the matter from his legal representative(s).
3. Mr. P. Mohanty, learned Sr. Counsel is present on behalf of the Respondent Nos. 2 to 4. He submits that here the Respondent Nos. 2 to 4 have been unnecessarily arraigned as parties when the suit is at the instance of the Appellant for enforcement of Specific Performance of Contract against the Respondent No.1.
4. In the above state of affairs, the Appeal stands dismissed for non-prosecution.

(D. Dash),
Judge.