

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.494 of 2011

Madhusudan Padhi

....

Petitioner

-versus-

***Orissa State Cooperative
Marketing Federation Ltd.***

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

**Order
No.**

**ORDER
27.04.2022**

06.

1. This matter is taken up through Hybrid mode.
2. This application under Section 482 Cr.P.C. has been filed by the Petitioner for quashment of the order dated 19.09.2010 passed by the learned J.M.F.C., Bhubaneswar in ICC No.5262 of 2007.
3. Heard learned counsel for the parties.
4. It appears that the Petitioner filed a petition to call for certain documents from the Opposite Party-complainant. The complainant has stated in his objection that the original cash receipts were granted to the Petitioner and the duplicate receipts as well as counter foil of the original have been seized by the Vigilance Department in a vigilance case and the complainant

stated that those documents are not available with him. Learned trial court after hearing the parties held that when certain documents are not available with a party, he cannot be compelled to produce the same and rejected the petition filed by the Petitioner. Challenging the said order, the Petitioner has filed this petition.

5. Since there is no illegality or infirmity in the impugned order, this Court is not inclined to interfere with the same.

6. Accordingly, the CRLMC stands dismissed.

7. Interim order passed earlier stands vacated. This order be communicated to the trial court immediately.

(S. Pujahari)
Judge

PKS