

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.16581 of 2020

Sankarasana Mohapatra & Ors.

....

Petitioner(s)

Mr. P.K.Mohapatra,
Advocate

-versus-

Sailabala Mishra

....

Opp.Party(s)

CORAM:

JUSTICE BISWANATH RATH

ORDER

05.04.2022

Order No.

2.

1. Heard learned counsel appearing for the petitioner.
2. Registry reporting that against the revisional order involving rejection of an application under Order 7 rule 11 of Civil Procedure Code, the CMP should be filed instead of writ petition is not proper. This Court accepts the filing of writ application.
3. In the course of submission, Mr.Mohapatra, learned counsel appearing for the petitioner does not want to challenge the revisional order and on the other hand submitted that the petitioner will be abided by the trial Court direction in disposal of the application under Order 7 rule 11 of the Code of Civil Procedure. Since the petitioner was pursuing a legal process, if the court fee as per the direction of trial court in the disposed of application under Order 7 rule 11 of the Code of Civil Procedure has not been paid as of now, let the plaintiff/petitioner deposits the required court fee within a period of fifteen days hence. In such event, the Court in seisin shall do well in taking a decision on the trial of the suit in appropriate Court and act accordingly.
4. The writ petition stands disposed of with the observation and direction made herein above.

(Biswanath Rath)
Judge