

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.601 OF 2022

Sudarshan Naik

Petitioner

Mr. Pramoda Kumar Mishra, Advocate

-versus-

Smt. Uanshi Bag and others

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

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
13.07.2022

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. The Petitioner in this CMP prays for a direction for expeditious disposal of C.S. No.58 of 2013 (final decree) pending before learned Civil Judge (Senior Division), Dharamgarh.
 3. Mr. Mishra, learned counsel for the Petitioner submits that although the final decree proceeding was initiated on 1st December, 2019 in a suit for partition and all the parties to the final decree proceeding are aware of the same, but they are not participating in the final decree proceeding. In that view of the matter, disposal of the final decree proceeding is delayed for which the present Petitioner is highly prejudiced. Hence, he prays for the aforesaid relief.
 4. On perusal of the order sheet of the final decree proceeding annexed to the CMP as Annexure-1, it appears that the notice on Defendant Nos.2, 3, 5, 6(d), 6(f), 13(a), 15(d) and 15(e) are yet to be served. In that view of the matter, no direction

can be made for early disposal of the final decree proceeding at this stage.

5. It is, however, observed that after the matter becomes ready, the Petitioner, if so advised, may file an application for early disposal of the final decree proceeding stating the grounds therein and in that event, the Court shall consider such application and proceed with the matter.

6. Accordingly, this CMP is disposed of.

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

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