

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CMP No. 619 OF 2022**

***Abhaya Palai @ Palar*** ..... ***Petitioner***

Mr. Maheswar Mohanty, Advocate

*-versus-*

***Basanta Palai @ Palar and others*** .... ***Opp. Parties***

**CORAM:**  
**JUSTICE K.R. MOHAPATRA**

**ORDER**  
**28.07.2022**

**Order No.**

1. This matter is taken up through Hybrid mode.
2. Petitioner in this CMP seeks to assail the order dated 29<sup>th</sup> November, 2021 (Annexure-5) passed by learned Senior Civil Judge, Pattamundai in IA 44 of 2021 (arising out of CS No.53 of 2021), whereby he rejected an application for grant of interim order dated 9<sup>th</sup> February, 2021.
3. It is submitted by Mr. Mohanty, learned counsel for the Petitioner that vide order dated 9<sup>th</sup> February, 2021, learned Senior Civil Judge, Pattamundai passed an ad interim order directing the parties to maintain *status quo* over the suit schedule property till appearance of the parties. Opposite Party Nos.1, 5 and 6 appeared through their counsel on 2<sup>nd</sup> March, 2021 and filed petition for adjournment and the interim order was extended. The interim *status quo* order was also extended on subsequent dates. On 29<sup>th</sup> November, 2021, since objection was not filed by Opposite Party Nos.1, 5 and 6, the Petitioner filed an application for extension of interim order dated 9<sup>th</sup> February, 2021. Although learned Advocate was present and moved the application, but learned Senior Civil Judge,

recording that both the parties took no step on that date, rejected the petition for extension of interim order.

4. In course of hearing, Mr. Mohanty, learned counsel for the Petitioner prays for withdrawal of the CMP submitting that he will file appropriate application for recall of order dated 29.11.2021.

5. In view of such submission, the CMP is disposed of as withdrawn.

Issue urgent certified copy of the order on proper application.

**(K.R. Mohapatra)**  
**Judge**

*s.s.satapathy*

