

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.621 OF 2022

Saria Jena @ Nayak and others

Petitioners

Ms. Jyotsnamayee Sahoo, Advocate
on behalf of

Mr. Amiya Kumar Mishra, Advocate

-versus-

Prafulla Nayak and others

.... Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

19.07.2022

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. Heard Ms. Sahoo, learned counsel being authorized by Mr. Mishra, learned counsel for the Petitioners to argue the matter.
 3. This CMP has been filed for a direction to learned 2nd Additional Civil Judge (Senior Division), Bhubaneswar for early disposal of C.S. No.1516 of 2017.
 4. Ms. Sahoo, learned counsel submits that the Petitioners as Plaintiffs are the senior citizens. They have filed the civil suit for partition, declaration and permanent injunction. The suit is ready for hearing and there is no legal impediment for early disposal of the suit. Due to pendency of the suit, the Plaintiffs, who are old ladies, are seriously prejudiced. Hence, this CMP has been filed for the aforesaid relief.
 5. Taking into consideration the submission made by Ms. Sahoo, learned counsel appearing for the Petitioners and on perusal of the order sheet of C.S. No.1516 of 2017 under

Annexure-3, it appears that the suit is not ready for hearing and the matter was last posted to 28th June, 2022 for hearing on settlement of issues. Thus, no direction for early disposal of the suit can be issued at this stage.

6. Accordingly, this CMP is disposed of with an observation that parties shall cooperate with learned trial Court for early disposal of C.S. No.1516 of 2017. Learned trial Court shall also make an endeavour for early disposal of the suit, if there is no legal impediment.

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

(K.R. Mohapatra)
Judge

ms

