

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No. 626 OF 2022

Godabarish Mishra

Petitioner

Mr. Soumya Sekhar Parida, Advocate

-versus-

Laxmidhar Mishra and others

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

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
26.07.2022

Order No.

2.
 1. This matter is taken up through hybrid mode.
 2. This CMP has been filed for a direction early disposal of Civil Suit No.23 of 2015 pending before learned Civil Judge (Junior Division), Nayagarh.
 3. Mr. Parida, learned counsel for the Petitioner submits that the evidence from the side of the Plaintiff-Petitioner is closed. On each date of posting of the suit for adducing evidence on behalf of the Defendants, adjournment is being sought for on their behalf and the same is allowed liberally for which the Plaintiff-Petitioner is highly prejudiced. In view of the above, he prays for a direction to the learned trial Court not to grant any liberal adjournment to conclude the suit at an early date.
 4. Taking into consideration the submission made by learned counsel for the Petitioner and on perusal of the order sheet of C.S. No.23 of 2015, it appears that on last few occasions, the Defendants are taking adjournments.

Adjournment for the inconvenience of the parties may be allowed but it should not be allowed merely on being asked for. On perusal of the order sheet, it appears that learned Civil Judge (Junior Division), Nayagarh is granting adjournment liberally.

5. In view of the above, this CMP is disposed of with a direction to the learned Civil Judge (Junior Division), Nayagarh to make an endeavour for early disposal of C.S. No.23 of 2015 without granting unnecessary adjournment. Parties are directed to cooperate with learned trial Court for early disposal of the civil suit.

6. It is open to the learned trial Court to take coercive action against the Party who is not cooperating for early disposal of the suit.

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

(K.R. Mohapatra)
Judge