

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO. 871 OF 2016

Karunakar Panigrahi ***Petitioner***

Mr. Samir Kumar Mishra, Advocate

-versus-

Secretary, Bartana Co-operative ***Opp. Parties***
Society and others

Mr. J.K. Khuntia, Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

08.08.2022

Order No.

5. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this CMP seeks to assail the order dated 20th May, 2016 (Annexure-4) passed by learned Civil Judge (Junior Division), Soro in I.A. No.50 of 2016 (arising out of C.S. No.88 of 2016), whereby an application under Section 151 C.P.C. filed with a prayer to pass an order of status quo till consideration of the petition under Order XXXIX Rules 1 and 2 C.P.C. was rejected.
3. This Court while issuing notice in the matter vide order dated 3rd June, 2016 directed that status quo with regard to the suit land appertaining to Plot No.152, Khata No.70 of mouza Bartana measuring an area of Ac.0.85 decimals shall be maintained by the parties till the next date. The said interim order is continuing till date.
4. Learned counsel for the parties submit that only one witness on behalf of Defendants remains to be examined in the suit.

5. In view of the above, this Court feels that interest of justice will be best served, if a direction is made for early disposal of the suit by maintaining the interim order passed by this Court on 3rd June, 2016.

6. Accordingly, this Court without delving into the merits of the case disposes of this CMP with a direction that learned trial Court shall do well to dispose of C.S. No. 88 of 2016 expeditiously. Till disposal of the suit, parties are directed to maintain status quo with regard to Plot No.152 to an extent of Ac.0.85 decimals under Khata No.70 of mouza Bartana in the district of Balasore. Parties are also directed to co-operate with learned trial Court for early disposal of the suit.

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

(K.R. Mohapatra)
Judge

bks

