

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 631 OF 2022

P.K.Mayudin

..... Petitioner

Mr. N. Sarkar, Advocate

-versus-

Kotini Sudhakar Rao

.... Opp. Party

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

25.07.2022

Order No.

1. This matter is taken up through Hybrid mode.
2. Petitioner in this CMP seeks to assail the order dated 8th July, 2022 July, 2022 (Annexure-5) passed by learned Civil Judge (Senior Division), Berhampur in CS No.218 of 2020, whereby an application under Order XXVI Rule 9 CPC has been rejected.
3. In course of hearing, Mr. Sarkar, learned counsel for the Petitioner prays for withdrawal of the CMP seeking liberty to file appropriate application under Order XXVI Rule 9 CPC at the closure of evidence, if required.
4. Granting such liberty, the CMP is disposed of as withdrawn with an observation that in the event such an application is filed at the closure of the evidence, the same shall be considered on its own merit.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge