

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No. 650 OF 2022

Sarat Kumar Sahoo ***Petitioner***
Mr. Shib Shankar Mohanty, Advocate
-versus-
Purna Chandra Sahoo ***Opp. Party***

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
07.09.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this CMP seeks for a direction to set aside the order dated 7th August, 2019 (Annexure-3) passed in F.A.O. No.83 of 2017, whereby learned Additional District Judge-cum-Special Judge, CBI-I, Bhubaneswar while granting an order of status quo observed as under:

“During hearing, it came to knowledge of this court that another suit vide CS No.183 of 2016 is pending between the parties. So, the learned trial court shall proceed in the present suit i.e. CS No.542 of 2017 and CS No.183 of 2016 simultaneously in the interest of justice and to avoid delay in disposal of both the suit.”

3. Mr. Mohanty, learned counsel submits that the Petitioner is not aggrieved by the order of status quo granted by learned appellate Court. But the observation made therein was not raised by any of the parties. Both the suits are pending, but at different stages. Thus, simultaneous hearing of the same cannot be made. He, however, submits that interest of justice will be best served, if the Petitioner moves an application for appropriate relief.

4. In view of the above, this Court without expressing any opinion on the merits of submission made by learned counsel for the Petitioner, disposes of the CMP with an observation that if an application is filed to consider the prayer as aforesaid, the same may be adjudicated in accordance with law giving opportunity of hearing to the parties concerned.

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

(K.R. Mohapatra)
Judge

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