

CMP No. 658 OF 2022

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Mr. Maheswar Mohanty, Advocate

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Opp. Parties

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
01.11.2022

4.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this CMP seeks to assail the order dated 19th April, 2022 (Annexure-8) passed by the learned District Judge, Bhadrak in F.A.O. No.83 of 2016, whereby the appeal was dismissed upholding the order dated 18th November, 2016 (Annexure-7 series) passed by learned Civil Judge (Senior Division), Bhadrak in I.A. No.137 of 2016 (arising from C.S. No.198 of 2016) dismissing an application under Order XXXIX Rules 1 and 2 C.P.C..
3. In course of hearing, Mr. Mohanty, learned counsel for the Petitioner submits that since fragment of Chaka has been sold, proceeding under Sections 34 and 35 of the Odisha Consolidation of Holdings and Prevention of Fragmentation of Land Act, 1972 in Consolidation Misc Case No.4 of 2022 has been initiated in the court of the Collector, Bhadrak and notices have been issued to the Opposite Parties in the matter. In that

view of the matter, he prays for withdrawal of the CMP to move appropriate application before learned trial Court.

4. Accordingly, this CMP is disposed of as withdrawn.

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

(K.R. Mohapatra)
Judge

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