

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO. 704 OF 2022

Raghunath Sahu

.....

Petitioner

Mr. Amit Prasad Bose, Advocate

-versus-

Haribansa Sahu and others

....

Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

11.08.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. 2. The Petitioner in this CMP seeks to assail the order dated 13th July, 2022 (Annexure-1) passed by learned Senior Civil Judge, Bargarh in CMA No.7 of 2017, whereby an application filed by the Petitioner to summon the private Amin to give evidence in the said petition was rejected.
3. 3. In course of hearing, Mr. Bose, learned counsel for the Petitioner submits that the Petitioner is ready and willing to produce the private Amin to lead evidence in CMA No.7 of 2017. Hence, he prays for withdrawal of CMP to file an application to that effect before the executing court. He further submits that imposition of cost of Rs.5,000/- may be waived.
4. 4. Taking into consideration the submission made by learned counsel for the Petitioner, this CMP is disposed of as withdrawn with an observation that if such an application is filed to produce the private Amin to lead evidence in CMA No.7 of 2017, the same shall be considered in accordance with law, giving opportunity of hearing to the parties concerned. The

Petitioner is also at liberty to file an application to waive the cost imposed in the impugned order.

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

(K.R. Mohapatra)
Judge

bks

