

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.708 of 2022

Santosh Meher @ Santosh Kumar Meher ***Petitioner***

Mr. B.Das, Advocate

-versus-

Ananda Meher and others ***Opp. Parties***

**CORAM:
JUSTICE K.R. MOHAPATRA**

ORDER

19.09.2022

Order No.

1. This matter is taken up through Hybrid mode.
2. Certified copy of impugned order under Annexure-5 filed in Court is taken on record.
3. Order dated 20th January, 2020 (Annexure-5) passed by learned Civil Judge (Junior Division), Bargarh CS No.29 of 2013 is under challenge in this CMP, whereby an application under Order XVIII Rule 1 CPC filed by the Plaintiff/Opposite Party No.1 is allowed directing the Defendant No.1/Petitioner to begin the hearing of the suit.
4. On Perusal of record, it appears that the impugned order was passed on 20th January, 2020 and the CMP is filed on 4th August, 2022, i.e., after lapse of more than two and half years. Delay in filing the CMP has not been explained. In the meantime, the suit might have been progressed substantially pursuant to the impugned order under Annexure-5.
- 4.1 Thus, it would not be proper on the part of this Court to interfere with the order impugned herein at this stage. However, this Court, without interfering with the impugned order, disposes

of the CMP with a direction to learned trial Court to dispose of the suit as expeditiously as possible, giving opportunity of hearing to the parties concerned, if there is no legal impediment.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge



s.s.satapathy