

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO. 709 OF 2022

Susama Mohanty @ Bhuyan. ***Petitioner***

Mr. Smita Ranjan Pattanaik, Advocate

-versus-

Dillip Kumar Khuntia and others ***Opp. Parties***

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

08.08.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. 2. The Petitioner in this CMP seeks to assail the notice dated 28th July, 2022 (Annexure-2) issued by the Civil Court Commissioner in Execution Case No.16 of 1973 pending in the court of learned 3rd Additional Civil Judge, Senior Division, Cuttack.
3. 3. In course of hearing, Mr. Pattanaik, learned counsel submits that the Petitioner has a remedy under Order XXI Rule 99 C.P.C. to move learned executing court to protect his possession.
4. 4. In view of the above, this Court is not inclined to entertain the CMP.
5. 5. The Petitioner, if so advised, may work out his remedy in accordance with law.
6. 6. The CMP is accordingly disposed of.

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

(K.R. Mohapatra)
Judge

bks