

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.741 of 2022

Ganta Lingaraj Reddy

.....

Petitioner

Mr. Jagdish Biswal, Advocate

-versus-

Bachu Judhistir Reddy and others

....

Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

17.08.2022

Order No.

1. This matter is taken up through Hybrid mode.
2. Petitioner in this CMP seeks to assail the order dated 2nd September, 2022 (Annexure-7) passed by learned 1st Additional Civil Judge (Senior Division), Berhampur in CS No.321 of 2012, wherein, an application for dismissal of the suit was rejected.
3. In course of hearing, Mr. Biswal, learned counsel submits that the order impugned herein is revisable. Hence, he prays for withdrawal of the CMP to enable the Petitioner to file properly constituted revision under Section 115 CPC.
4. In view of such submission, the CMP is disposed of as withdrawn.
- 4.1 However, it is observed that while considering an application for condonation of delay in filing the revision, learned revisional Court may take into consideration the period of pendency of this CMP from 10th August, 2022 to till date along with other grounds.

5. Certified copy of order under Annexure-7 shall be returned to learned counsel for the Petitioner on being substituted with attested photocopy thereof.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge



s.s.satapathy