

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 846 of 2022

Basanta Kumar Lenka

Petitioner

Mr. Sougat Dash, Advocate

-versus-

Puspalata Rout and others

.... ***Opp. Parties***

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

20.10.2022

Order No.

2.
 1. This matter is taken up through hybrid mode.
 2. Petitioner, in this CMP seeks to assail the order dated 29th July, 2022 (Annexure-5) passed by learned Civil Judge (Senior Division), Udala in CS No.97 of 2021, whereby an application for amendment of the plaint, has been allowed.
 3. In course of hearing, Mr. Dash submits that Defendant No.4 in the trial Court has come up with this CMP assailing the order passed under Annexure-5. Interest of justice will be best served if Defendant Nos.4 and 5 are given an opportunity to file additional written statement to the amended plaint and a direction is made for early disposal of the suit.
 4. Taking into consideration the innocuous nature of prayer made by learned counsel for the Petitioner, this Court, without interfering with the impugned order under Annexure-5, disposes of the CMP with a direction that Defendant Nos.4 and 5 shall be given an opportunity to file their additional written statement within a period of three weeks hence and thereafter learned trial Court shall proceed with the suit in accordance with law. It shall also make an endeavour to see that the suit is disposed of at an

early date without granting unnecessary long adjournments. Parties are directed to cooperate with learned trial Court for early disposal of the suit.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge



s.s.satapathy