

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.22508 OF 2022

Jayaram Nayak

....

Petitioner

Mr.K.K.Mishra, Adv.

-versus-

Balaram Swain & ors.

....

Opposite Party(s)

Mr.S.K.Palit, Adv. for O.P.1
Mr.S.Ghosh, AGA for O.Ps.2 & 3

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
13.9.2022**

Order No.

03.

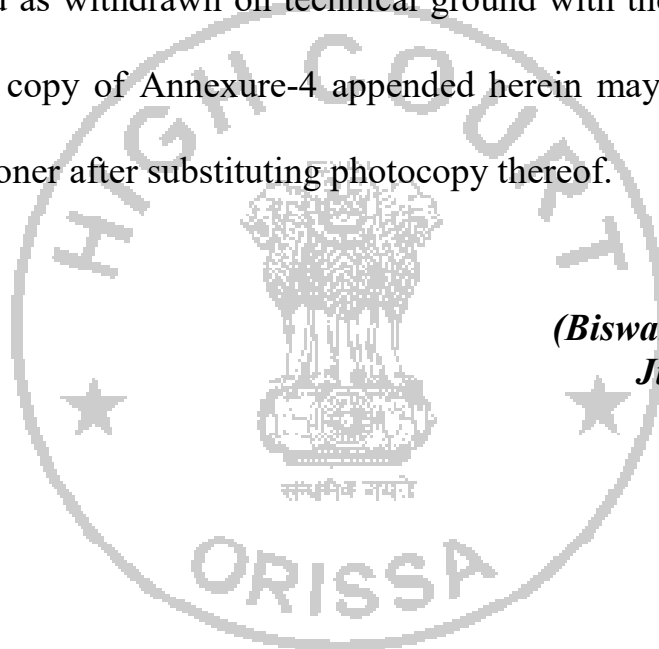
1. Heard learned counsel for the Parties.
2. This Writ Petition was taken up for hearing on 2.9.2022.

There was no pointing out that there was glaring defects in the body of the Petition inasmuch as at Annexure-1 & 2, which are not the documents as required and pleaded in the Writ Petition. Further the hearing of the matter was taken up on 8.9.2022. Even though today in his submission learned counsel for the Petitioner claimed that he has filed a Memo to clear the defects by bringing appropriate documents at Annexure-1 & 2. Unfortunately, in spite of concluding the matter and reserving for judgment, no such mentioning was made. The defects are pointed out when the Court sat for judgment only, for which this Court was constrained to bring the matter under “To Be Mentioned”. Today even though mentioning is made

showing interest to cure the defects by way of Memo. along with appropriate documents, no such Memo. or document is available on Record.

3. In the circumstance, this Court finds, for the Writ Petition full of defects and the defects are incurable, the Petitioner is permitted to withdraw the Writ Petition and if so advised, he may file a fresh Writ Petition. Accordingly, the Writ Petition stands dismissed as withdrawn on technical ground with the above liberty. Certified copy of Annexure-4 appended herein may be returned to the Petitioner after substituting photocopy thereof.

M.K.Rout



(Biswanath Rath)
Judge