

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 878 of 2022

Prafulla Kumar Kara @ Kar and others* *Petitioners

Mr. Prasanna Kumar Mishra, Advocate

-versus-

Gopinath Mohapatra and another* *Opp. Parties

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

Order No.

**ORDER
28.09.2022**

1. This matter is taken up through hybrid mode.
2. This CMP has been filed assailing the order dated 19th May, 2022 (Annexure-4) passed by learned Civil Judge (Junior Division), Chandikhole in CS No.05 of 2014, whereby an application filed by the Petitioner under Section 47 CPC has been rejected.
3. In course of hearing, Mr. Mishra, learned counsel for the Petitioners submitted the order impugned herein is revisable under Section 115 CPC. Hence, he prays for withdrawal of the CMP seeking liberty to file a properly constituted revision under Section 115 CPC. He further submitted that delay in filing the revision may be liberally considered.
4. In view of the submission made by learned counsel for the Petitioners, this Court disposes of the CMP as withdrawn. In the event Petitioners file a revision under Section 115 CPC within a period of two weeks hence, the delay in filing the same

shall be liberally considered taking into consideration the period of pendency of the CMP before this Court from 7th September, 2022 till date along with other grounds.

5. Certified copy of the impugned order shall be returned to learned counsel for the Petitioners on being substituted with attested photocopy thereof.

Issue urgent certified copy of the order on proper application.



s.s.satapathy