

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO. 904 OF 2022

Kailash Chandra Sahoo ***Petitioner***

Mr. Bibekananda Bhuyan, Advocate

-versus-

Rabindranath Sahoo and another ***Opp. Parties***

Mr. Himansu Sekhar Deo, Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

14.11.2022

Order No.

3.
 1. This matter is taken up through hybrid mode.
 2. The Petitioner in this CMP seeks to assail the order dated 6th August, 2022 (Annexure-5) passed by learned Civil Judge (Senior Division), Chandikhole in C.S. No. 248 of 2019, whereby an application for amendment of the written statement filed by Defendants-Opposite Parties has been allowed.
 3. In course of hearing, Mr. Bhuyan, learned counsel for the Petitioner submits that the suit has been filed for eviction. Hence, in order to avoid further complicity and for the interest of justice, the suit should be disposed of at an early date.
 4. Mr. Deo, learned counsel for Opposite Party Nos.1 and 2 submits that he has no objection, if the suit is directed to be disposed of at an early date.
 5. Learned counsel for both the parties also submit that the suit is otherwise ready for hearing and there is no legal impediment for early disposal of the same.

6. Taking into consideration the submissions made by learned counsel for the parties and the nature of dispute involved, this Court feels that early disposal of the suit will be at the interest of both the parties.

7. In view of the above, this Court without interfering with the impugned order under Annexure-5 disposes of this CMP with a direction that learned Civil Judge (Senior Division), Chandikhole shall do well to make an endeavour for early disposal of C.S. No. 248 of 2019 in accordance with law, as expeditiously as possible preferably by the end of July, 2023, giving opportunity of hearing to the parties concerned, if there is no legal impediment. Parties are directed to cooperate with learned trial Court for early disposal of the same.

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

(K.R. Mohapatra)
Judge

bks