

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 911 of 2022

M/s Andhra Pradesh State Handloom Weavers Cooperative Society Ltd. ***Petitioner***

Mr. P.V.Balakrishna, Advocate

-versus-

S. Ram Kumar and others ***Opp. Parties***

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

**ORDER
21.09.2022**

Order No.

1. This matter is taken up through hybrid mode.
2. Petitioner in this CMP seeks to assail the order dated 27th July, 2022 (Annexure-7) passed by learned Civil Judge (Senior Division), Berhampur, Ganjam in CS No.283 of 2012, whereby an application filed by the Plaintiff/Petitioner seeking leave to exhibit certain documents as per the list under Annexure-5 has been rejected.
3. In course of hearing, Mr. Balakrishna, learned counsel for the Petitioner submitted that the petition filed under Order XIII Rules 1 and 2 CPC is not properly drafted as no averment is made therein with regard to relevancy of those documents as well as the reason for delay in filing of the same. In view thereof, he submits that interest of justice will be best served if the Petitioner files a fresh application with better details and prays for withdrawal of the CMP.

4. In view of such submission, this Court without expressing any opinion on the merit of the submission made by learned counsel for the Petitioner, disposes of the CMP as withdrawn with an observation that in the event such an application is filed within a period of seven days hence along with certified copy of this order, the impugned order under Annexure-7 shall be kept in abeyance till disposal of such application and it shall be subject to result of the said petition.

Issue urgent certified copy of the order on proper application.



(K.R. Mohapatra)
Judge