

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No. 923 OF 2022

Subrat Sasmal

....

Petitioner

None

-versus-

Debendra Patra and others

....

Opp. Parties

Mr. Ajit Kumar Tripathy, Advocate
(For Opp. Party No.1)

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
13.10.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. Mr. Tripathy, learned counsel submits that he has already entered appearance on behalf of the Opposite Party No.1 by filing Vakalatnama.
3. The CMP has been filed assailing the order dated 15th September, 2022 (Annexure-1) passed by learned Civil Judge (Junior Division), 2nd Court, Cuttack in C.S. No.6907 of 2014, whereby an application under Order XXVI Rule 9 C.P.C. has been rejected.
4. Mr. Tripathy, learned counsel for the Opposite Party No.1 by filing an affidavit submits that the suit, out of which the impugned order arises, has already been disposed of on 29th September, 2022. Hence, this CMP has become infructuous.
5. On last occasion i.e. on 22nd September, 2022, the matter was adjourned on the prayer of learned counsel for the Petitioner. Today, none appears on behalf of the Petitioner to pursue the matter.

6. Since the suit has already disposed of, nothing remains to be adjudicated in the CMP.

7. Accordingly, this CMP is disposed of as infructuous.

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

(K.R. Mohapatra)
Judge

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