

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 936 OF 2022

Binesh Prasad Singh

....

Petitioner

Mr. Santosh Kumar Samantaraya, Advocate

-versus-

Pramod Prasad Singh and others

....

Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

13.10.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this CMP seeks to assail the order dated 3rd August, 2022 (Annexure-3) passed by learned Civil Judge, Senior Division, Kendrapara in I.A. No.291 of 2022 (arising out of C.S. No.343 of 2022), whereby an application under Order XXXIX Rule 3 C.P.C. has been rejected.
3. In course of hearing, Mr. Samantaraya, learned counsel for the Petitioner submits that I.A. No.291 of 2022 is posted today for hearing. Hence, interest of justice will be best served if a direction is made for early disposal of I.A. No.291 of 2022 in accordance with law.
4. In view of the submission made by learned counsel for the Petitioner, this Court without expressing any opinion on the merit of the case of Petitioner in I.A. No.291 of 2022, disposes of the CMP with a direction that learned trial Court shall make an endeavour to dispose of I.A. No.291 of 2022 today. If for any reason, the same cannot be disposed of today, an endeavour

shall be made by learned trial Court to dispose of the same by 21st October, 2022 giving opportunity of hearing to the parties concerned.

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

(K.R. Mohapatra)
Judge

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