

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO.1287 OF 2019

***Tapan Mahalik @ Tapan Kumar
Mahalik & anr.***

....

Petitioners

Mr.M.Panigrahi, Adv.

-versus-

Keshab Mahalik & ors.

....

Opposite Party(s)

Mr.P.K.Dash, Adv. for O.Ps.2, 4 & 5.

**CORAM:
JUSTICE BISWANATH RATH**

ORDER

19.5.2022

I.A.NO.240 OF 2021

**Order
No.**

5.

1. Heard learned counsel for the Petitioners.
2. For the Defendants contesting together in the trial court and one of the Defendants dying during pendency of the CMP, substitution is immaterial for the purpose of the CMP. Step for substitution is a subject in the trial court.
3. I.A. stands disposed of.

***(Biswanath Rath)
Judge***

CMP NO.1287 OF 2019

6. 1. In the circumstance of the impugned order, the present CMP is not entertainable and stands dropped but however, in the event the Petitioners if so advised may find the appropriate proceeding.

***(Biswanath Rath)
Judge***

M.K.Rout