

IN THE HIGH COURT OF ORISSA AT CUTTACK
CMAPL No.743 of 2019

Manmohan Srimali

....

Petitioner(s)

Mr.S.K.Mallick,
Advocate

-versus-

Santanu Lohura & Ors.

....

Opposite Party(s)

Mr.S.Udgata,
Advocate

CORAM:
JUSTICE BISWANATH RATH

ORDER
28.03.2022

Order No.
04.

1. The CMP No.1622 of 2016 involves rejection of an application under Order 1 rule 10 C.P.C., at the instance of third party claiming to lis-pendent purchase involving same property, this C.M.P. No.1622 of 2016 was dismissed for default giving arise to file CMAPL No.743 of 2019. During course of hearing of this CMAPL, Mr.Mallick, learned counsel appearing for the petitioner brings to the notice of the Court that in the pendency of the CMAPL, C.S. No.30 of 2010 has come to an end.
2. This Court therefore finds the issue involving the CMP and even the CMAPL becomes academic. Consequently, this CMAPL stands disposed of but however with observation in the event the petitioner has remedy to appeal, he may avail the same but however under the provisions of law.

(Biswanath Rath)
Judge