

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 973 OF 2022

Gangadhar Khanda

....

Petitioner

Mr. Dinesh Kumar Mohanty, Advocate

-versus-

Government of Orissa and others

....

Opp. Parties

Mr. Swayambhu Mishra,

Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

04.11.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. This CMP has been filed assailing the order dated 6th July, 2022 (Annexure-5) passed by learned 1st Additional Senior Civil Judge, Balasore in C.S. No.507 of 2007, whereby he rejected an application under Order XXII Rule 4 along with petitions under Order XXII Rule 9 C.P.C. and Section 5 of Limitation Act for condonation of delay.
3. In course of hearing, Mr. Mohanty, learned counsel for the Petitioner prays for withdrawal of the CMP submitting that the Petitioner has remedy to challenge the order impugned herein under Order XLIII Rule 1(k) C.P.C.
4. In view of the above, this CMP is disposed of as withdrawn.
5. Certified copy of the impugned order under Annexure-5 be returned to learned counsel for the Petitioner on substitution of attested photocopy thereof.

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

(K.R. Mohapatra)
Judge