

IN THE HIGH COURT OF ORISSA AT CUTTACK

RPFAM No. 71 OF 2021

Bharat Bhusan Sahoo

.... Petitioner

Mr. Pravash Chandra Jena,
Advocate

-versus-

Diptimayee Sasmal

.... Opp. Party

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

20.04.2022

Order No.

RPFAM No. 71 of 2021

& I.A. No. 37 of 2022

3.
 1. This matter is taken up through hybrid mode.
 2. Office note dated 26th November, 2011 discloses that A.D. of limitation notice issued to sole Opposite Party by speed post has returned after personal service of notice. In spite of the same, Opposite Party has not yet entered appearance either personally or through learned counsel. Hence, the notice on sole Opposite Party is treated to be sufficient.
 3. I.A. No. 37 of 2022 has been filed for condonation of delay in filing the RPFAM.
 4. There is delay of 273 days in filing the RPFAM as pointed out by the S.R.
 5. In course of hearing, Mr. Jena, learned counsel for the Petitioner submits that interest of justice will be best served, if the Petitioner moves the learned Judge, Family Court, Dhenkanal by filing an application under Section 126(2) Cr.P.C. Hence, he prays for withdrawal of the RPFAM.
 6. Considering such submission, the RPFAM as well as I.A. stands disposed as withdrawn.

7. Certified copy of the impugned order shall be returned to the learned counsel for the Petitioner on substitution of attested photocopy thereof.

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(K.R. Mohapatra)
Judge

