

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 986 of 2022

Muralidhar Dhal and another ***Petitioners***
Mr. Dibya Ranjan Behera, Advocate

-versus-

Madhabananda Dhal ***Opp. Party***

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
17.11.2022

Order No.

- 02.
1. This matter is taken up through Hybrid mode.
 2. This CMP has been filed for a direction to learned Additional Senior Civil Judge, Jajpur for early disposal of CS No.244 of 2016 pending before him.
 3. Mr. Behera, learned counsel for the Petitioners/Plaintiffs submits that since 20th February, 2019, the suit has been posted for ex parte argument. Vide order dated 30th June, 2021, learned trial Court called for the Yadast of MS ROR and the same was filed by the Plaintiffs on 3rd August, 2021. However, the suit is still being adjourned for ex parte argument. It is submitted that there is no impediment for hearing of argument and disposal of the suit. In view of pendency of the suit, the Plaintiffs/Petitioners are seriously prejudiced. Hence, this CMP has been filed.
 4. Taking into consideration the submissions of learned counsel for the Petitioner and on perusal of order sheets of CS

No.244 of 2016 pending before learned Additional Senior Civil Judge, Jajpur, it appears that the matter is being posted to different dates for ex-argument since 20th February, 2019. Although vide order dated 30th June, 2021, the Petitioners were directed to produce Yadast of the MS ROR, but it appears from order dated 3rd August, 2021 that the Plaintiffs have already filed the same. It is submitted by that there is no legal impediment for hearing of the *ex parte* argument and disposal of the suit.

5. In view of the above, learned Additional Senior Civil Judge, Jajpur directed for hearing of argument and pronouncement of the judgment in CS No.244 of 2016 as expeditiously as possible, preferably by end of December, 2022, if there is no legal impediment.

6. With the aforesaid observation and direction, CMP is disposed of.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge