

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO. 1005 OF 2022

Tuna Dehury

....

Petitioner

Mr. Gouri Mohan Rath, Advocate

-versus-

Santosh Kumar Dehury and others

....

Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

16.11.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this CMP seeks to assail the orders dated 24th June, 2022 and 20th September, 2022 passed by learned Senior Civil Judge (LR<V), Angul in C.S. No.270 of 2013.
3. Mr. Rath, learned counsel for the Petitioner submits that vide order dated 24th June, 2022, learned trial Court closed the evidence on behalf of the Plaintiff and directed the Defendants to lead evidence. Vide order dated 20th September, 2022, application filed by the Plaintiff to recall the order dated 24th June, 2022 was dismissed.
4. In course of hearing, Mr. Rath, learned counsel for the Petitioner submits that application to recall the order dated 24th June, 2022 filed on 8th July, 2022 was not properly drafted. Hence, he prays for withdrawal of CMP seeking liberty to file an application with better particulars to recall the order dated 24th June, 2022.

5. In view of the above, this Court without expressing any opinion on the merits of the submission made by learned counsel for the Petitioner disposes of this CMP as withdrawn with an observation that in the event the Petitioner files a fresh application with better particulars to recall the order dated 24th June, 2022 passed by learned Senior Civil Judge (LR<V), Angul in C.S. No.270 of 2013, the same shall be considered in accordance with law without being influenced by the observation made in the order dated 20th September, 2022.

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

(K.R. Mohapatra)
Judge

bks

