

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.28953 OF 2022

Sita Devi @ Sita Malik and another* *Petitioners

Ms. Sasmita Nayak, Advocate

-versus-

Kanhu Sahoo and another* *Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

15.11.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioners in this writ petition prays for a direction to dispose of MAC No. 278 of 2019 pending before learned 3rd M.A.C.T., Khurda, Bhubaneswar at an early date.
3. It is submitted by learned counsel for the Petitioners that an application under Order 1 Rule 10 C.P.C. has been filed by the present Petitioners to implead their married daughter and son as parties to the claim petition. As they refused to receive the copy, it has been sent through registered post. In the process, the matter is lingering for which the Petitioners are highly prejudiced.
4. Considering the submission made by learned counsel for the Petitioners, this Court finds that the matter is not ready for hearing. Hence, no direction for early disposal of MAC No. 278 of 2019 filed under Section 166 of the Motor Vehicles Act, 1988 can be issued.

5. In view of the above, this writ petition is disposed of with an observation that if the matter is ready for hearing, the Petitioners are at liberty to file an application for early disposal of the same stating the reasons therein. In that event, learned Tribunal shall consider such application for early disposal of MAC No. 278 of 2019 in accordance with law and proceed with the matter accordingly.

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

(K.R. Mohapatra)
Judge

bks

