

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 1100 OF 2022

Satyanarayan Barik

....

Petitioner

Mr. Vivekananda Jena, Advocate

-versus-

Naguni Barik and others

....

Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

28.11.2022

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. The Petitioner in this CMP seeks to assail the order dated 27th January, 2020 (Annexure-5) passed by learned Civil Judge (Senior Division), Soro in Execution Case No.34 of 2015, whereby the writ issued to the Commissioner for execution of the decree has been kept in abeyance till disposal of the petition for stay of the execution proceeding filed by the J.Drs-Opposite Party Nos.1 and 2.
 3. It appears that the Petitioner as the D.Hr has not moved learned executing Court for vacation of the interim order. It is further submitted by Mr. Jena, learned counsel for the Petitioner that since the petition for stay of execution proceeding is pending, the interim order passed by virtue of the impugned order under Annexure-5 is being continued.
 4. While declining to interfere with the impugned order under Annexure-5, this Court disposes of the CMP with an observation that the Petitioner, if so advised, may move learned Civil Judge (Senior Division), Soro either to vacate the interim

order or to dispose of the interim application filed by the J.Drs- Opposite Party Nos.1 and 2 at an early date, if the same is still pending.

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

(K.R. Mohapatra)
Judge

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