

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30090 of 2022

Goutam Pradhan

....

Petitioner(s)

Mr. D. Tripathy,
Advocate

-versus-

Arun Kumar Behera

....

Opposite Party(s)

Mr. U.K. Sahoo,
Addl. Standing Counsel

CORAM:

JUSTICE BISWANATH RATH

ORDER

18.11.2022

Order No.

02.

1. Heard the submission of learned counsel for Petitioner.
2. This Writ Petition involves rejection of an application U/o.7 Rule 11 of C.P.C at the instance of the return candidate and thereafter the revision at the instance of the same party involving such order of rejection has also been dismissed.
3. Considering the grounds raised in filing the petition U/o.7 Rule 11 of C.P.C., this Court observes, the grounds raised herein does not invite the application U/o.7 Rule 11 of C.P.C and as such there is no requirement of interfering in the impugned order. This Court observes, in the event such pleadings are already brought in written statement, it may be open to the return candidate to request the trial court for framing appropriate issue in that regard and such issue can be decided along with all other issues in the ultimate trial of the matter. It is clarified that in the event such issue is framed, the same shall be decided without being influenced by the observation

already made in the order rejecting the application U/o.7 Rule 11 of C.P.C.

4. The Writ Petition stands disposed of with the above order.

(Biswanath Rath)
Judge

Ayaskanta Jena

