

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO. 1200 OF 2022

Subash Chandra Sahoo and others* *Petitioners

Mr. Ajaya Kumar Jena, Advocate

-versus-

Kali Thakurani and another* *Opp. Parties

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

15.12.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioners in this CMP seek to assail the order dated 27th October, 2022 (Annexure-7) passed by learned Civil Judge (Junior Division), Bhawanipatna in CMA No. 2 of 2020, whereby an application filed by them under Section 151 C.P.C. to recall the order dated 4th December, 2018 passed in CMA No. 2 of 2020 and to provide opportunity of hearing to the Petitioners has been rejected.
3. Mr. Jena, learned counsel for the Petitioners submits that the order dated 4th December, 2018 has not been challenged.
4. No ground is made out by the Petitioners to assail the sustainability of the order dated 27th October, 2022 under Annexure-7. Further, it appears that by order dated 4th December, 2018, a petition filed by the Opposite Party No.1 under Order IX Rule 13 C.P.C. has been allowed. Since the order dated 4th December, 2018 by which the Petitioners are

stated to be prejudiced is not under challenge, a prayer refusing to recall the said order cannot probably be challenged in this CMP.

5. Accordingly, the CMP stands dismissed.

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

(K.R. Mohapatra)
Judge

bks

