

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMAPL No. 726 of 2022

Smt. V. Jhansirani Patro

.....

Petitioner

Mr. S.K. Tripathy, Advocate

-versus-

V. Rabindranath Patro

.....

Opposite Party.

Mr. A. Kejriwal, Advocate

CORAM:

JUSTICE S. TALAPATRA

JUSTICE SAVITRI RATHO

ORDER

19.12.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Mr. S.K. Tripathy, learned counsel has entered in the appearance for the Appellant by filing a fresh Vakalatnama. The Vakalatnama is taken on record.
3. Mr. Tripathy, learned counsel for the Petitioner has stated that by the order dated 29.11.2022 as delivered in MATA No.64 of 2022, the appeal was dismissed for non-prosecution. When the matter was taken up, learned counsel for the Appellant was not available and there was no mention for accommodation. According to Mr. Tripathy, learned counsel, he failed to comprehend the matter was going to be taken up at that point of time.
4. Mr. A. Kejriwal, learned counsel has appeared for the Opposite Party and fairly submitted that, he will not oppose the prayer for setting aside the order for non-prosecution.

5. Accordingly, the order dated 29.11.2022 is set aside and the appeal is restored to its original file.

6. In the result, this application stands allowed and disposed of.

(S. Talapatra)
Judge

(Savitri Ratho)
Judge

Murmu

