

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.33307 OF 2022

Sunita Mohapatra

....

Petitioner(s)
Miss.P.Naidu,Adv.

-versus-

Snehanjali Mallick

....

Opposite Party(s)

CORAM:
JUSTICE BISWANATH RATH

ORDER
16.12.2022

Order No.

01.

1. Heard learned counsel for the Parties.
2. The Writ Petition involves rejecting an application under Order 7 Rule 11 of C.P.C. in an attempt to take out the Election proceeding. Considering the submission and on the grounds raised herein, this Court finds, looking to the nature of allegation, question raised can also be adjudicated in the ultimate trial of the dispute. Further this Court does not find there is Election dispute proceeding not completely bared by law.
3. In the circumstance this Court declines to interfere in the impugned order. In disposal of the Writ Petition this Court however directs the trial court to conclude the trial proceeding at least within a period of three months from the date of communication of this order also involving the question raised through the Order 7 Rule 11 application and if answered not to be prejudiced by the observation already therein.

(Biswanath Rath)
Judge