

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO.1255 OF 2022

Braja Kishore Barik

....

Petitioner

Mr. Bhawani Sankar Panigrahi, Advocate

-versus-

State of Orissa and others

.... ***Opp. Parties***

Mr. B. Panigrahi,

Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

16.12.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this CMP seeks to assail the order dated 1st December, 2022 passed by learned Civil Judge (Junior Division), Jajpur in C.S. No. 890 of 2022, whereby an application under Section 80(2) C.P.C. has been rejected.
3. In course of hearing, Mr. Panigrahi, learned counsel for the Petitioner submits that the petition under Section 80(2) C.P.C. was not proper couched. Hence, interest of justice will be best served, if the Petitioner files a fresh application under Section 80(2) C.P.C. for consideration along with a properly constituted plaint. In order to enable him to file a fresh application under Section 80(2) C.P.C. along with a properly constituted plaint, he prays for withdrawal of CMP.
4. In view of such submission, this writ petition is disposed of as withdrawn.

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

(K.R. Mohapatra)
Judge

bks