

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 33806 OF 2022

Madhusmita Samant

....

Petitioner

Mr. Jaydeep Pal, Advocate

-versus-

Rajesh Singh

....

Opp. Party

Mr. Bibekananda Bhuyan, Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

16.12.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. 2. Mr. Bibekananda Bhuyan, learned counsel enters appearance on behalf of Opposite Party by filing Vakalatnama in Court today, which is taken on record.
3. 3. The Petitioner in this writ petition seeks to assail the order dated 11th November, 2022 (Annexure-8) passed in C.P. No. 153 of 2009, whereby learned Judge, Family Court, Cuttack closed the evidence from the side of the Petitioner. She also seeks to assail the order dated 28th November, 2022 (Annexure-11) passed in C.P. No. 153 of 2009, whereby learned Judge, Family Court, Cuttack refused to recall the order dated 11th November, 2022 (Annexure-8).
4. 4. In course of hearing, Mr. Pal, learned counsel submits that if permitted, the Petitioner shall present herself on 24th December, 2022 to which date the civil proceeding is adjourned and shall make herself available for further cross-examination.

5. Mr. Bhuyan, learned counsel for Opposite Party does not have any objection to the same.

6. Taking into consideration the submissions made by learned counsel for the parties, the impugned orders under Annexures-8 and 11 are set aside. The Petitioner is directed to be present on 24th December, 2022 before learned Judge, Family Court, Cuttack and to make herself available for cross-examination by the Opposite Party. The cross-examination of the Petitioner shall be completed on that date and if it is not completed on that date, she will make herself available on 26th December, 2022 on which date cross-examination of the Petitioner (P.W.1) shall be completed.

7. With the aforesaid observation and direction, this writ petition is disposed of.

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

bks

