

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.40025 of 2021

Pradeep Kumar Gajendra & Ors.

Petitioner(s)

Mr.R.K.Nayak, Advocate

-versus-

Sib-Collector, Bhubaneswar & Ors.

Opposite Party(s)

Mr.S.Ghose, ASC

CORAM:

JUSTICE BISWANATH RATH

ORDER

03.02.2022

Order No.

1. The matter is taken up on through Video Conferencing Mode.
2. Heard learned counsel appearing for the parties.
3. Undisputedly Mutation Appeal No.255 of 2018 has been decided in absence of the petitioners. It is not known whether petitioners remain absent with reasonable cause or not. Be that as it may, since the petitioners have scope for filing an application for setting aside the ex-parte order, this Court finds the writ petition is not entertainable at this stage but however disposes of the writ petition with liberty to the petitioners to file application to set aside the ex-parte order involving the appeal indicating the ground but non- appearance on the date of hearing. In the event such an application is filed within a period of one week hence, same may be entertained and order as deemed fit and proper be passed but however giving opportunity of hearing to the parties likely to be affected.
4. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout copy of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 & 515 dated 7th January, 2022.

(Biswanath Rath)
Judge