

IN THE HIGH COURT OF ORISSA AT CUTTACK
C.M.P. No.798 OF 2021

Laxman Nath & Ors.

....

Petitioner(s)
Mr.S.K.Dash,
Advocate

-versus-

Bhagaban Nath

....

Opposite Party(s)
Mr.S.K.Nayak,
Advocate

CORAM:
JUSTICE BISWANATH RATH

ORDER
04.04.2022

Order No.
08.

1. There is no dispute at the Bar that the impugned order involved herein can be challenged in revision before the District Judge.
2. Considering the bona fide attempt of the Petitioner, this Court while declining to entertain the CMP, permits the petitioner to file a revision along with a limitation petition taking resort to Section 14 of the Limitation Act within a period of seven days hence. In such event the delay shall be condoned but however after involving the opposite party to contest and the revision will be heard on merit. The points raised herein is kept open to be considered by the Appellate Authority. Learned counsel appearing for the opposite party undertakes to have early appearance in the Revisional Court.
3. Since the petitioner is enjoying the protection granted by this Court, same is allowed to continue for four weeks. In the meantime the application for interim protection along with revision shall be considered and disposed of. Considering the urgency, if necessary, the petitioner may be permitted in the revision, to take out notice on the

opposite party by special messenger. The Revisional Authority will also not be influenced by the observation of this Court while taking the ultimate decision in the revision.

4. With this observation and direction, the CMP stands disposed of.

(Biswanath Rath)
Judge

S.P. Dash

