

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.809 of 2021

Krutibas Dash

.....

Petitioner(s)

Mr.B.C.Panda, Advocate

- Versus-

Shantanu Kumar Ghosh & Anr.

.....

Opposite parties

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
10.01.2022**

Order No.
01

1. This matter is taken up through Video Conferencing mode.
2. Heard Mr.Panda, learned counsel for the petitioner.
3. This Civil Miscellaneous Petition involves allowing an amendment application at the instance of the plaintiff appears to be bringing some allegations claiming to have taken place during pendency of the suit. For the opinion of this Court allowing amendment of this nature will not amount to adjudication of pleadings raised therein. It is only bringing new pleadings for adjudication. For the defendant still has the scope for filing additional written statement, disputing any such claim by way of amendment and for a scope for the trial court for adjudication of such dispute available to both the sides, this Court is not inclined to interfere in the impugned order. It may be opened to the defendant to file additional written statement, if any, to the amended portion in the meantime..
4. The CMP stands disposed of with the observation made hereinabove.

5. 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.

Sks

(BISWANATH RATH)
JUDGE

