

(2024) 01 OHC CK 0020
In the Orissa High Court
Case No : CMP No. 1269 Of 2023

Anil Kapoor Sahoo Vs State Of Odisha And Others ?

Date of Decision : 04-01-2024

Acts Referred:

Citation : (2024) 01 OHC CK 0020

Hon'ble Judges : K.R. Mohapatra, J

Bench : Single Bench

Advocate : Swayambhu Mishra

Final Decision : Disposed Of

Judgement

K.R. Mohapatra, J

1. This matter is taken up through hybrid mode.
2. None appears for the Petitioner at the time of call.
3. This CMP has been filed with a prayer to direct learned Civil Judge (Junior Division), Kamakhyanagar to dispose of Execution Petition No.2 of 2018 at an early date.
4. On perusal of the order sheet at Annexure-2, it appears that the matter is being adjourned at the instance of the J.Drs since 22nd February, 2023. Adjournments have been granted at the instance of the J.Drs on more than six occasions. It is not known as to why learned executing Court is granting such adjournments liberally. Since it is an execution proceeding, learned executing Court should make all endeavour to see that it is disposed of at an early date preferably within a period of six months as per the mandate in the case of Rahul S Shah –v-Jinendra Kumar Gandhi, reported in (2021) 6 SCC 418.
5. In that view of the matter, this Court disposes of the CMP with a direction that learned Civil Judge (Junior Division), Kamakhyanagar should be more careful in entertaining the prayer for adjournment and shall not allow the prayer for adjournment to any of the parties unless it is expedient for the interest of justice. Learned executing Court shall also make an endeavour to see that the

execution case is disposed of at an early date. Parties are directed to cooperate with learned executing Court for early disposal of the execution case.

6. Office shall communicate this order to learned Civil Judge (Junior Division), Kamakhyanagar forthwith.

7. As requested, copy of this order be made over to Mr. Mishra, learned ASC for compliance and communication.

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

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