

(2022) 12 OHC CK 0054
In the Orissa High Court
Case No : Writ Petition (C) No.11613 of 2012

Biswanath Sahu

APPELLANT

Vs

State Of Odisha & Others

RESPONDENT

Date of Decision : 07-12-2022

Acts Referred:

Code of Civil Procedure, 1908 — Order 22 Rule 3, Order 22 Rule 4

Citation : (2022) 12 OHC CK 0054

Hon'ble Judges : Arindam Sinha, J;S.K. Mishra, J

Bench : Division Bench

Advocate : A. Mohanata, G.N. Rout

Final Decision : Disposed Of

Judgement

I.A. no.4702 of 2021 and WP(C) no.11613 of 2012

1. Mr. A. Mohanta, learned advocate appears on behalf of applicants and submits, additional affidavit dated 22nd November, 2022 has been filed pursuant to leave granted by order dated 11th November, 2022, showing causes for the delay

2. Mr. Rout, learned advocate, Additional Standing Counsel appears on behalf of State and points out, applicants have invoked incorrect provision of law in stating the application to be under order XXII, rule 4, Code of Civil Procedure.

3. We overlook invocation of the wrong provision. We treat the application as made under order XXII, rule 3.

4. Perused the additional affidavit. We are satisfied with the causes shown for delay and condone it. The application is allowed. Let applicants be added as substituted petitioners. They will file consolidated cause title.

5. The I.A. is disposed of.

6. List the writ petition on 2nd January, 2023.

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