
(2023) 09 OHC CK 0052
In the Orissa High Court
Case No : CMP No. 694 Of 2023

Gadadhar Behera

APPELLANT

Vs

Jogendra Behera And Others

RESPONDENT

Date of Decision : 08-09-2023

Acts Referred:

Code of Civil Procedure, 1908 — Section 47

Citation : (2023) 09 OHC CK 0052

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

Bench : Single Bench

Final Decision : Disposed Of

Judgement

K.R. Mohapatra, J

1. This matter is taken up through hybrid mode.
2. Perused the report of learned District Judge, Balasore at Flag 'A' submitted pursuant to order dated 17th August, 2023. It appears from the said report that order dated 14th July, 2023 was not communicated to learned First Additional Civil Judge (Senior Division), Balasore. It however appears from the case record that vide Memo No.31434 dated 19th July, 2023, the Superintendent in-charge of Writ Branch III of this Court had intimated to the Court of learned First Additional Civil Judge (Senior Division), Balasore about the order dated 14th July, 2023.
4. Hence, learned Deputy Registrar (Judicial) of this Court shall enquire into the matter and instruct the concerned Sections to bring the matters of such nature to his notice, where this Court seeks instructions from trial Courts/District Courts and steps should be taken to communicate the order through email to save time.
- 4.1 Further, on perusal of the letter/report of learned District Judge, Balasore dated 5th September, 2023 (Flag 'A'), it appears that pursuant to earlier directions of this Court, IA No. 187 of 2019 and IA No. 547 of 2019 filed under

Section 47 CPC have not yet been disposed of and are still pending for consideration. As such, the prayer of the Petitioner for early disposal of Execution Case No.17 of 2018 cannot be entertain at this stage.

5. Accordingly, the CMP is disposed of with a direction that learned executing Court should take all possible steps to see that the Execution Case is made ready for early disposal.

6. This order shall be communicated to learned First Additional Civil Judge (Senior Division), Balasore and the learned District Judge, Balasore forthwith.

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