
(2024) 07 OHC CK 0109
In the Orissa High Court
Case No : CMP No. 466 Of 2024

Pramod Kumar Dash

APPELLANT

Vs

Pravat Kumar Dash And Others

RESPONDENT

Date of Decision : 24-07-2024

Acts Referred:

Citation : (2024) 07 OHC CK 0109

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

Bench : Single Bench

Advocate : Vivekanand Jena

Final Decision : Disposed Of

Judgement

K.R. Mohapatra, J

1. This matter is taken up through hybrid mode.
2. Order dated 2nd February, 2024 (Annexure-4) passed in RFA No.172 of 2023 is under challenge in this CMP, whereby learned District Judge, Balasore stayed the further proceeding of Execution Case No.53 of 2023 (arising out of CS No.474 of 2023) pending in the Court of learned 3rd Additional Senior Civil Judge, Balasore till disposal of the Appeal.
3. Upon hearing Mr. Jena, learned counsel for the Petitioner at length, this Court feels that interest of justice will be best served if both the RFAs, i.e., RFA Nos.171 and 172 of 2023 pending in the Court of learned District Judge, Balasore are disposed of at an early date. It is submitted that parties to both the RFAs have already entered appearance and there is no legal impediment for disposal of both the Appeals.
4. In view of the above, this Court, without delving into merit of the order impugned herein, disposes of the CMP with a direction that learned District Judge, Balasore should make every endeavour to see RFA Nos.171 and 172 of 2023 are disposed of at the earliest giving opportunity of hearing to the parties

concerned. If for any reason, delay occurs in disposal of both the RFAs, as aforesaid, the Petitioner will be at liberty to seek for variation of the order dated 2nd February, 2024 (Annexure-4) passed in RFA No.172 of 2023 before learned appellate Court.

Issue urgent certified copy of the order on proper application.

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