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**(2024) 05 OHC CK 0295**  
**In the Orissa High Court**  
**Case No : C.M.P. No.540 Of 2024**

Sitaram Kambhar

APPELLANT

Vs

Santaram Rajhans & Others

RESPONDENT

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**Date of Decision :** 23-05-2024

**Acts Referred:**

Code of Civil Procedure, 1908 — Order 7 Rule 11

**Citation :** (2024) 05 OHC CK 0295

**Hon'ble Judges :** S. K. Mishra, J

**Bench :** Single Bench

**Advocate :** K.A. Guru

**Final Decision :** Disposed Of

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## Judgement

S. K. Mishra, J

1. This matter is taken up through hybrid mode.
2. Heard learned Counsel for the Petitioner.
3. This application has been preferred by the Petitioner, who is the Defendant No.2 before the Court below in C.S. No.162 of 2022, now pending in the Court of Civil Judge (Senior Division), Sambalpur, being aggrieved by the inaction of the concerned Court to issue certified copy of the order passed on the petition filed by the Petitioner under Order 7 Rule 11 of C.P.C.
4. Though a prayer has been made seeking for a direction to the Court below to allow the Petition filed by the Petitioner (Defendant No.2 before the Court below) under Order 7 Rule 11 C.P.C. and to reject the Plaint in C.S. No.162 of 2022, the said prayer being premature, the C.M.P. stands disposed of giving liberty to the Petitioner to approach the appropriate forum, after obtaining the certified copy of the order passed on the application filed by him under Order 7 Rule 11 of C.P.C.
5. Since an allegation has been made in this application as to non-supply of the certified copy of the order passed in C.S. No.162 of 2022 based on the

application filed under Order 7 Rule 11 C.P.C., though the Petitioner has applied for the same since 11th March, 2024, the Court below is directed to ensure processing of the said application by its Office at the earliest and issue the certified copy unfailingly within a week from the date of production of the certified copy of this order. With the said observation, the C.M.P. stands disposed of.

6. Urgent certified copy of this order be granted on proper application as per rules.

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