

(2024) 06 OHC CK 0148
In the Orissa High Court
Case No : CMP No.424 Of 2024

Snehalata Kanungo @ Pattnaik

APPELLANT

Vs

Naresh Chandra Kanungo And Others

RESPONDENT

Date of Decision : 28-06-2024

Acts Referred:

Citation : (2024) 06 OHC CK 0148

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

Bench : Single Bench

Advocate : Gopinath Mishra

Final Decision : Disposed Of

Judgement

K.R. Mohapatra, J

1. This matter is taken up through hybrid mode.
2. This CMP has been filed seeking a direction to learned Civil Judge, (Senior Division), Nimapara for early disposal of CS No.176 of 2022.
3. It is submitted by Mr. Mishra, learned counsel for the Petitioner that the suit has been filed for partition. The Petitioner, who is the Plaintiff before learned trial Court, is aged about 84 years. Pleadings are complete in the suit and there is no legal impediment to proceed for trial of the suit. All the parties to the suit are senior citizens and Defendant No.1 was 89 years old at the time of filing of the suit. He, therefore, submits that learned trial Court should consider the same and make an endeavour for early disposal of the suit.
4. On perusal of the order sheet, it appears that notice on all the Defendants is not sufficient. It is, however, submitted by Mr. Mishra, learned counsel for the Petitioner that in the meantime, all the Defendants have already entered appearance and the pleadings of the parties are complete.
5. In view of the above, this Court disposes of this CMP with an observation that

if there is any urgency in the matter, the Petitioner shall file an application stating the same and in that event, learned trial Court shall consider the application for disposal of the suit at the earliest and proceed with the matter accordingly.

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

.....