

IN THE HIGH COURT OF ORISSA AT CUTTACK

R.S.A. No.44 of 2022

M/s. Balasore Alloys Ltd. ***Appellant***

-versus-

Puspa Chakraborty & Others ***Respondents***

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
10.02.2023**

**Order
No.**

02. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Heard Mr.S.D.Das, learned Senior Counsel for the Appellant in the matter of admission of this Appeal. The appeal is admitted to answer the following substantial questions of law:-
- a) “Whether the First Appellate Court is right in passing an order in impleading Respondent No.9 and if that error in passing the order has affected the decision of the case”.
- b) “Whether the First Appellate Court ought not have decreed the suit preliminarily in the absence of all the necessary parties.”
3. Issue notice to the Respondents by registered post with A.D., requisites for which shall be filed within a week hence.
- In that event notice be issued fixing a short returnable date.

4. List this matter in the week commencing 27th March, 2023.

(D. Dash)
Judge

ORDER
10.02.2023

Order
No.

I.A. No.69 of 2023

03. 1. Heard.
2. As an interim; it is directed that the operation of the Judgment and Preliminary Decree passed by the learned First Appellate Court in RFA NO.167 of 2017 shall remain stayed till the next date of listing.
3. Issue urgent certified copy of this order as per law.

(D. Dash)
Judge

Gitanjali

