



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 376 of 2025

Mahendra Kumar Pandey

.....

Petitioner

Mr. Aswini Kumar Dash, Advocate

-versus-

Phulendra Pandey

.....

Opp. Parties

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

21.03.2025

Order No.

01.

(Through hybrid mode)

1. This C.M.P. under Article 227 of the Constitution of India has been filed challenging the order dated 12.02.2025 passed by the learned Senior Civil Judge, Kuchinda in C.S. No. 31 of 2012 allowing the application of the defendant no.1 for setting aside the order dated 26.12.2024 setting him ex parte. His application under Order 6 Rule 17 of the CPC has been rejected on the ground that as the plaintiff has already been examined as P.W.1, at this stage amendment of new pleadings cannot be allowed and as the document which is sought to be introduced by way of amendment is already on record it can be perused at the time of argument.

2. When Mr. Aswini Kuamr Dash, learned counsel appearing from the virtual High Court at Sambalpur on behalf of the petitioner



was asked as to when the written statement had been filed, he submits that the said information is not available with him and prays for an adjournment to obtain necessary instruction.

3. List this matter on 04.04.2025.

(Savitri Ratho)
Judge

puspa

Signature Not Verified

Digitally Signed
Signed by: PUSPANJALI MOHAPATRA
Reason: Authentication
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Date: 21-Mar-2025 17:29:04

