



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 1379 of 2016

CNR No. - ODHC010424682016

1.Malati Panda

2.Jayanti Panda

.... ***Petitioners***

None

-versus-

1.Sudarshan Pati

2.Purusottam Pati

3.Bishnumohan Upadhaya

4.Narayan Upadhaya

5.Krushna Chandra Upadhaya

.... ***Opp. Parties***

None

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

19.08.2026

Order No.
09.

(Through hybrid Mode)

1. This matter is taken up from the weekly list.
2. This CMP has been filed challenging the order dated 13.07.2016 passed by the learned Civil Judge (Junior Division), Soro in Civil Suit No. 317 of 1999 (Annexure-3), rejecting the application filed under Order 1 Rule 10 of the CPC by a third party.
3. While issuing notice on 21.09.2016, further proceedings in the suit had been stayed by this Court.



4. None appears on behalf of the parties when the matter is called.

5. In view of the fact that the names of the learned counsel appearing on behalf of Opposite Party Nos. 1 and 2 has not been reflected in the cause list, although their names appears in the top of the brief, the concerned Dealing Assistant should submit an explanation in this regard.

6. As more than 10 years have elapsed since the impugned order was passed and no counsel appears on behalf of the Petitioner, it can safely be presumed that in the meanwhile the suit has either been disposed of or has substantially progressed, rendering the CMP infructuous.

7. Hence, no useful purpose will be served by keeping this CMP pending, which is accordingly disposed of.

8. Interim order passed earlier stands vacated.

9. Misc. Case No. 1434 of 2016 stands disposed of.

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

(Savitri Ratho)
Judge