



**IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.1267 of 2025**

Anu Charan Swain

....

Petitioner

Mr. H.Mohapatra, Advocate

-versus-

Prahallad Swain

....

Opposite parties

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
20.08.2025**

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. Heard Mr. Mohapatra, learned counsel for the Petitioner.
 3. Present CMP is directed against order dated 24th August 2024 of learned Civil Judge (Junior Division), Nimapara passed in C.S. No.35 of 2014, wherein the prayer for amendment of the Plaintiff has been refused.
 4. Mr. Mohapatra, learned counsel for the Petitioner submits that the prayer for amendment was rejected mainly on the ground that the second appeal in S.A.O. No. 10 of 2018 is pending before this Court. But in the meantime, said S.A.O. No. 10 of 2018 has already been disposed of as withdrawn on 23rd September 2024. Mr. Mohapatra, learned counsel accordingly seeks liberty to renew his prayer for amendment before the Trial Court.
 5. Considering such limited prayer of the Petitioner, the CMP is disposed of granting liberty to the petitioner to renew his prayer



for amendment before the Trial Court by filing appropriate petition, which shall be considered in accordance with law.

6. It is made clear that this Court has not expressed any opinion on the merits of the contentions of the Petitioner and further, since this order is passed at the stage of admission without issuing notice to the Opposite Party, he is at liberty to seek variance of this order if necessity arose.

7. An urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge

S.Das