

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.33244 OF 2022

***Bada Karna Sabar @ B.Karan
Sabara***

....

Petitioner

Mr.T.K.Mishra, Adv.

-versus-

Banita Mallik & ors.

....

Opposite Parties

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
8.12.2022**

**Order
No.**

01.

1. Heard learned counsel for the Petitioner.
2. Considering the serious question of law involved questioning the locus standi of the Election Petitioner in bringing Election Petition No.3/2022 and the Petitioner having failed in his attempt through an Application under Section 151 of C.P.C.in the guise of Petition under Order 7 Rule 11 of C.P.C. being rejected, this Court finding a prima facie case directs for issuing notice on the question of admission.
3. Let two extra copies of the Brief be served on the learned State Counsel appearing for O.Ps.2 & 3. Notice be issued to O.P.1 by Speed Post with A.D./Registered Post with A.D. fixing a short returnable date. Requisites be filed by tomorrow, as undertaken.
3. Place this matter on 24.1.2023.

(Biswanath Rath)

Judge

I.A. No.16685 OF 2022

- 02.
1. Issue notice as above. Accept one set of process fee.
 2. As an interim measure, it is directed that there shall be stay of further proceeding in Election Petition No.3/2022 pending in the Court of Civil Judge (Jr.Divn.), Sorada, Ganjam till the next date.

(Biswanath Rath)
Judge

M.K.Rout

