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ITEM NO.32

COURT NO.7

SECTION XIA

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 12655/2017  
(Arising out of impugned final judgment and order dated 03/01/2017  
in CMP No. 1590/2016 passed by the High Court of Orissa at Cuttack)  
PRANAYA KUMAR PADHI Petitioner(s)

VERSUS

PRAMOD KUMAR PADHI & ORS. Respondent(s)  
(With Interim Relief)

Date : 28/04/2017 This petition was called on for hearing today.

CORAM : HON&#39;BLE MR. JUSTICE A.K. SIKRI

HON&#39;BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Ashok Kumar Panigrahi, Adv.

Mr. Gautam K. Laha, Adv.

Mr. Raj Bahadur Singh, Adv.

Mr. Sanjeev Kumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Learned counsel for the petitioner argues that the High Court has committed factual error in observing that the application for loan and the legal opinion are not on record. He has drawn our attention to Order dated 04.08.2015 passed by the Civil Judge (Senior Division) Jeypore in C.S. No. 63 of 2009 whereby the Civil Judge had summoned these documents. Pursuant to that order, the documents were produced. In case this averment is correct, the petitioner may file an application for review of the order of the High Court. Granting the permission, this petition is disposed of.

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We make it clear that, in case, the petitioner does not succeed in the said review petition, he will be entitled to challenge the order of the High Court passed in the review petition and also the impugned order as well.

(POOJA SEHGAL)

(MALA KUMARI SHARMA)

SR. P.A. COURT MASTER