þITEM No.16 Court No. 5 SECTION XIA

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

CC 8122

IA No. 1 In &
Petition(s) for Special Leave to Appeal(Civil).../2000
(From the judgement and order dated 14/11/2000 in OCRM 578/2000
of The HIGH COURT OF ORISSA AT CUTTACK)

PRASHANT KUMAR NAYAK Petitioner (s)

VERSUS

PRAVASH KUMAR SAHOO & ORS. Respondent (s)

(With prayer for interim relief)
(With Appln(s). for permission to file SLP)

Date : 08/12/2000 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. Dipankar P. Gupta,Sr.Adv.
Mr. Ranjan Mukherjee,Adv.
Mr. L. Pangari,Adv.
Mr. A.K. Sahoo,Adv.
Mr. Suchit Mohanty,Adv.

For Respondent (s)

For Caveator Mr. S. Misra,Adv.
for Debasis Misra,ADv.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....J.

.SP2

We also feel strongly that when an order like one passed by the High Court which directly affects the petitioner he should have been heard and at least he should have been a party in the proceedings. We, therefore, permit the petitioner to make an application in the High Court to make him a party in the proceedings. We permit him further to apply for modification or vacating of the order. If any such application is moved the same shall be disposed of within 2 weeks after affording opportunity to respondent No. 1 at whose instance the impugned order was passed. With these observations we dispose of this Special Leave Petition.

.SP1

(N.K. GOEL) (H.K. BHATIA) @@
BBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBB
COURT MASTER COURT MASTER@@
BBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBB