



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No. 340 of 2017

CNR No. ODHC010266172017

***M/s. Bhawani Motors, represented by
it's Partner, Sri Subhendu Kumar Petitioner
Parida***

None

-versus-

***1. Smt. Saroja Rath
2. Sri Naraya Rath Opp. Parties
None***

CORAM:

THE HON'BLE MISS JUSTICE SAVITRI RATHO

Order No.

**ORDER
25.08.2026**

04.

(Through Hybrid Mode)

1. This CMP has been filed challenging the order dated 17.02.2017 passed by the learned 1st Additional Senior Civil Judge, Bhubaneswar in C.S. No. 610 of 2016 (Annexure-4) rejecting the application of the defendant filed under Order 8 Rule 9 read with Order 9 Rule 7 and Section 151 of the CPC for permission to file written statement but granting the defendant permission to participate in the hearing.

2. On 17.04.2017 while issuing notice, this Court had stayed further proceeding in the suit.



3. Office has pointed out that notice could not be issued due to non-filing of requisites.
4. None appears for the Petitioner when the matter is called.
5. As almost 9 years have elapsed since the impugned order was passed, but no counsel appears on behalf of the Petitioner, it can safely be presumed that in the meanwhile, either the suit has been disposed of or has progressed considerably, rendering the CMP infructuous.
6. Hence, the CMP is dismissed.
7. Interim order passed earlier stands vacated.
8. Misc. Case No. 383 of 2017 stands disposed of.

puspa

(Savitri Ratho)
Judge