

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.257 of 2023

Sarathi Sahu and Another

....

Petitioners

Mr. S.K. Ragada, Advocate

-Versus-

S. Mahendra Rao

....

Opposite Party

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

14.02.2023

Order
No.

01.

1. Heard learned counsel for the petitioners.
2. Admit and issue notice to the sole opposite party.
3. Notice to the sole opposite party by Registered Post with AD making it returnable at an early date and for the said purpose, requisites shall be filed by the learned counsel for the petitioner within a week from today.
4. List on 13th March, 2023 for appearance of the opposite party.

(R.K. Pattanaik)
Judge

I.A. No.197 of 2023

1. Learned counsel for the petitioners submits that no offence is made out against the petitioners considering the nature of complaint. It is submitted that such a complaint is filed by sole

opposite party with the allegation that without any prior permission, the petitioners dug a safety tank over the land which is being used by the public as a pathway which runs between the CSI office and civil court building. It is also claimed that the petitioner is the contractor whereas petitioner No.2 is a JE of PHD and therefore, the complaint with such allegation cannot be sustained in law and hence, the proceeding arising therefrom should be stayed as an interim measure.

2. Considering the nature of allegations in the complaint and submission of learned counsel for the petitioners, this Court as an interim measure directs that the proceeding in ICC Case No.15 of 2022 pending in the file of learned S.D.J.M., Padampur shall remain stayed till the next date.

3. List on the date fixed.

4. A certified copy of this order be granted as per rules.



(R.K. Pattanaik)
Judge

Tudu