



# THE HIGH COURT OF ORISSA, CUTTACK

## OFFICE ORDER

*No. X-03/2013/19643 Dated: 16<sup>th</sup> December, 2022*

Rule-28 of Chapter-VI (General Rules regarding Applications and Affidavits) under Part-II (Procedure and Practice) of the Rules of The High Court of Orissa, 1948 mandatorily provides for filing of **a synopsis and a list of dates and events** in separate sheets in the application, memorandum of appeal and cross objection along with duly filled up coding sheet, an Index and a list of documents.

However, in most of the applications, appeals and cross-objections synopsis and list of dates and events are not being filed. Hence, the following practice directions are issued:

1. A 'synopsis' in the **sample form at Appendix-I** and a 'list of dates and events' in separate sheets in the **sample form at Appendix-II** shall be filed in every application, memorandum of appeal and cross objection, adhering to the provisions of Rule-28 of Chapter-VI of the Rules of The High Court of Orissa, 1948.
2. The synopsis shall ordinarily be limited to one page with the heading **SYNOPSIS** in the middle of top margin and paginated with the alphabets **A, B...** depending on the number of pages.
3. The list of dates shall ordinarily be limited to maximum of three pages with the heading **LIST OF DATES AND EVENTS** in the middle of the top margin and paginated with the alphabets **B, C, D....** depending on the number of pages. The relevant dates shall be mentioned towards the left of the page and the related events shall be mentioned against the respective dates indicating the connected annexures and their page numbers.
4. The quality and size of paper, type and size of font, line spacing and margins prescribed in Rule-4(i) of Chapter-VI under part-II of the Rules of the High Court of Orissa, 1948 for applications and affidavits shall be applicable for the 'synopsis' and the 'list of dates and events'.
5. The index shall contain the pagination of the 'synopsis' and the 'list of dates and events'.

6. The papers of the application, memorandum of appeal and cross-objection shall be arranged in the following manner while filing :
- (i) Coding Sheet
  - (ii) Index
  - (iii) Synopsis
  - (iv) List of dates and events
  - (v) Application/Memorandum of appeal/Cross-objection
  - (vi) Annexures, if any, filed along with the application/memorandum of appeal/cross-objection, giving page numbers
  - (vii) List of documents in the Form prescribed in Appendix-XI of Rule-28, Chapter-VI, Part-II of the Rules of the High Court of Orissa, 1948
7. Any application, memorandum of appeal or cross-objection filed without 'synopsis' and 'list of dates and events' shall be treated as defective by the Stamp Reporter.
8. The opposite party/respondent may, if considered necessary, file additional list of dates with material facts in addition to those furnished by the petitioner/appellant if he/she considers that the list of dates and events filed by the petitioner/appellant is inaccurate or incomplete.

This order shall be effective from 2<sup>nd</sup> January, 2023.

**BY ORDER**

*SM*  
16/12/2022

**REGISTRAR (JUDICIAL)**

**Memo No: 19644 (100) / Dated: 16<sup>th</sup> December, 2022**

Copy forwarded to the:-

- (1) Advocate General, Odisha, Cuttack;
- (2) Deputy Solicitor General of India for the High Court of Orissa;
- (3) Secretary, High Court Bar Association, Cuttack;
- (4) All Officers of the Court;
- (5) Joint Registrar-cum-Principal Secretary to Hon'ble the Chief Justice;
- (6) Stamp Reporter & Oath Commissioner;
- (7) All Addl. Stamp Reporter & Oath Commissioner;
- (8) Sr. Technical Director, NIC to upload in the website of the Court;
- (9) Notice Board

for information and necessary action.

*[Signature]*  
16.12.22

**SPECIAL OFFICER (SPECIAL CELL)**

SYNOPSIS

Petitioner's suit for permanent injunction before Sr. Civil Judge, Barbil was decreed ex-parte. On application of Defendant/Opposite Party No. 2 the ex-parte judgment was set aside and suit was restored. Defendant/Opposite Party No. 2 filed written statement challenging petitioner's title over suit land. Thereafter, the petitioner filed a petition under order 6 Rule 17 CPC for adding a prayer for declaration of his right, title, interest and for change in valuation of suit by incorporating some facts in the plaint. The petition was rejected on the ground that the cause of action and the nature and character of the suit would be changed.

Thereafter, the petitioner filed a Civil Revision petition before the District Judge, Keonjhar. The said Civil Revision petition was dismissed on the ground that there was no scope for revision under Section 115 CPC.

It is submitted that the orders of the Trial Court and the District Judge are erroneous. The proposed amendments are essential a for just decision in the case.

**LIST OF DATES AND EVENTS**

- 03.10.2015 Petitioner filed C.S. No. 102 of 2015 for permanent injunction before the Sr. Civil Judge, Barbil. Copy of plaint is at ANNEXURE-1 (Pages 9 to 15)
- 20.04.2017 The Suit was decreed ex-parte by the Sr. Civil Judge, Barbil. Certified copy of ex-parte judgment is at ANNEXURE-2 (Pages 16 to 21)
- 15.09.2018 The Ex-parte judgment was set aside and the Suit was restored by the Sr. Civil Judge, Barbil. Copy of the order in CMA No. 150 of 2017 is at ANNEXURE-3 (Pages 22 to 26)
- 17.10.2018 Defendant No. 2 filed a written statement disputing the Petitioner's title over the suit land. Copy of written statement is at ANNEXURE-4 (Pages 27 to 31)
- 23.11.2018 Petitioner filed an application under Order 6 Rule 17 CPC for amendment of the plaint to change the valuation of the suit and add a prayer for declaration of right, title and interest over the suit land. Copy of the application is at ANNEXURE-5 (Pages 32 to 34)

- 12.03.2019 Defendant No. 2 filed an objection to the application under Order 6 Rule 17 CPC. Copy of the objection is at ANNEXURE-6 (Pages 35 to 37)
- 09.04.2019 The application under Order 6 Rule 17 CPC was rejected by the Sr. Civil Judge, Barbil on the ground that the proposed amendment would change the cause of action and after the nature and character of the suit. Certified copy of order is at ANNEXURE-7 (Pages 38 to 41)
- 04.05.2019 Petitioner filed Civil Revision No. 120 of 2019 before the District Judge, Keonjhar challenging order dated 09.04.2019 of the Sr. Civil Judge, Barbil. Copy of the Civil Revision petition is at ANNEXURE-8 (Pages 41 to 45)
- 16.09.2019 The Civil Revision petition was dismissed by District Judge, Keonjhar on the ground that there was no scope for revision under Section 115 CPC. Certified copy of order is at ANNEXURE-9 (Pages 46 to 50)