



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.142 of 2026

Puspita Mohapatra

.....

Petitioner

Represented by Adv. -
Sourav Suman Bhuyan

-versus-

Anil Kumar Mohapatra & Ors.

.....

Opposite Parties

Represented by Adv. -

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER

Order No.

24.02.2026

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner. Perused the CMP application as well as the prayer made therein.
3. By filing the present application under Article 227 of Constitution of India, the Plaintiff-Petitioner has approached this Court challenging the order dated 14.07.2025 passed by the learned Additional Civil Judge (Senior Division), Puri in C.S. No.509 of 2021, thereby partly allowing the plaintiff's application under Order 6 Rule 17 of the CPC.
4. Learned counsel for the Petitioner, at the outset, contended that just prior to filing of the suit, the suit scheduled property was sold to the newly added Defendant No.5. Although, on the prayer of learned counsel for the Plaintiff, the Defendant No.5 has been added as a party to the suit, however the prayer with regard to declaration that the sale deed executed in favour of the newly added Defendant No.5



is the nullity, were not allowed by the learned trial court.

5. Upon consideration of the submissions made by the learned counsel for the Petitioner, this Court is of the view that the matter requires further examination in presence of the Opposite Parties.

6. Hence, issue notice to the Opposite Party Nos.1 to 4 by Speed Post with A.D. by fixing a short returnable date. Requisites be filed within three working days.

7. List this matter in the week commencing 6th April, 2026.

I.A. No.65 of 2026

8. Heard.

9. Notice as above.

10. Accept one set of process fee.

11. As an interim measure it is directed that on an application being filed by the Petitioner seeking adjournment, the learned trial court shall do well to adjourn the matter for a period of eight weeks.

(A.K. Mohapatra)

Judge

Rubi