



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.231 of 2026

Sri Ram Pratap Kheria

.....

Petitioner

Mr. S.P. Mishra, Sr. Adv.

-versus-

***Ranjan Kumar Pradhan and
others***

.....

Opposite Parties

Mr. A. Mohanty, ASC

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

ORDER
25.02.2026

Order No.

01. 1. This matter is taken up through Hybrid 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 the Constitution of India, a third party who claims right over the suit property which is the subject matter of C.S. No.572 of 2010, filed an application under Order 1 Rule 10 of CPC to implead him as defendant in the above noted suit. Such application having been rejected vide order dated 24.12.2025 by the learned Civil Judge (Senior Division), Bhubaneswar, the Petitioner has approached this Court by filing the present CMP application.
4. Mr. S.P. Mishra, learned Senior Counsel for the Petitioner at the outset contended that earlier another application was filed under Order 1 Rule 10 which was dismissed on the ground that the



Petitioner failed to produce the plot index to show that the plot purchased by the Petitioner in the self-same plot which is the subject matter of the dispute in the pending suit. Subsequently, another application was filed under Order 1 Rule 10 after obtaining the plot index at Annexure-5, however, such application was rejected on the ground that earlier application of the Petitioner has already been rejected

5. Upon hearing of the learned senior counsel for the Petitioner, this Court is of the view that the matter requires further hearing in presence of the Opposite Party.

6. Hence, issue notice to the Opposite Party Nos.1 & 2 by Registered Post/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 23.03.2026.

8. Extra copy of the application be served on learned counsel for the State, who accepts notice on behalf of the Opposite Party No.3.

I.A. No.141 of 2026

9. As an interim measure, it is directed that on the application being filed by the Petitioner seeking stay of further proceeding in C.S. No.572 of 2010, further proceeding against the present Petitioner shall remain stayed till the next date.

(Aditya Kumar Mohapatra)
Judge