



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.355 of 2026

Sk. Sultan

.....

Petitioner

Represented by Adv. -
Jagajiban Pradhan

Mr. S.K. Mishra, Sr. Adv.

-versus-

Sk. Alam Mahammad and others

.....

Opposite Parties

Represented by Adv. -

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 Mr. S.K. Mishra, learned Senior 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, the plaintiff-Petitioner has approached this Court challenging order dated 05.01.2026 passed by the learned Senior Civil Judge, (LR & LTV), Balasore in Civil Suit No.488 of 2011, thereby rejecting the petition filed by the plaintiff-Petitioner under Order 6 Rule 17 of the CPC.
 4. Learned senior counsel for the Petitioner drawing attention of this Court to the amendment application at Annexure-2 contended before this Court that the amendments sought for are all formal and



clarificatory in nature and that the same does not change the nature and character of the suit. He further submitted that although the trial has commenced only one witness from the plaintiff side is being examined and his examination is not yet ben over.

5. Taking into consideration the aforesaid submission, this Court is inclined to hear the Opposite Parties.

6. On the request of the learned senior counsel for the Petitioner, he is permitted to take notice by Dasti and file an affidavit by the next date.

7. List this matter in the week commencing 30.03.2026.

I.A. No.219 of 2026

8. As an interim measure, it is directed that on an application being filed by the Petitioner seeking adjournment in Civil Suit No.488 of 2011, the learned trial Court shall do well to adjourn the matter for a period of six weeks.

(Aditya Kumar Mohapatra)
Judge