



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P(C) No.3838 of 2026

Amita Das

....

Petitioner

Mr. Vivekananda Jena, Advocate

-versus-

Umakanta Rana & others

....

Opp. Parties

CORAM:

JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

24.02.2026

(Hybrid Mode)

Order No.

02.

1. The petitioner is before this Court challenging the orders dated 01.03.2016 and 12.03.2016 passed by the learned Civil Judge, Junior Division, Soro in C.S. No.137/2015.

By the said order dated 01.03.2016, the petition filed under Order XXIII Rule 3 of the C.P.C. by the parties to the litigation was taken on record. By order dated 12.03.2016 the compromise petition was accepted. The suit was decreed finally in terms of the compromise. It was further directed that the compromise petition and sketch map shall be part of the final decree.



2. It is submitted by the learned counsel for the petitioner that the suit suffers from non-joinder of necessary party. The petitioner herein is vitally interested in the suit property being a purchaser from the predecessor in interest of the present opposite parties, who were parties in the Civil Suit.

3. Keeping in view the law laid down in ***State of Punjab and another v. Jalour Singh and others: (2008) 2 SCC 660, Bhargavi Constructions and another v. Kothakapu Muthyam Reddy and others: (2018) 13 SCC 480*** and ***Shri Mukund Bhavan Trust and others v. Shrimanth Chhatrapati Udayan Raje Pratapsinh Maharaj Bhonsle and another:(2024) 15 SCC 675***, the question of admissibility of this petition and maintainability is kept open.

4. Issue notice to the opposite parties along with this order.

Requisites for issuance of notice by Speed Post with registration and proof of delivery shall be filed within seven working days.

5. List after S.R. Liberty to mention.

I.A. No.2177 of 2026

6. Heard learned counsel for the petitioner. He reiterates his submissions as noted above.

7. Issue notice as above. Accept one set of process fee as well as postal requisites.



8. As an interim measure, it is directed that the order dated 12.03.2016 and the final decree pursuant thereto passed in C.S. No.137/2015 by the learned Civil Judge (Junior Division), Soro shall not be given effect to without leave of this Court.

The petitioner as well as the opposite parties and others shall maintain status quo regarding nature, character, ownership of the property during pendency of this petition.

9. List after S.R. Liberty to mention.

(Mruganka Sekhar Sahoo)
Judge

Radha