



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.252 of 2026

***Sri Jogendra Prasad Bhola and
another***

.....

Petitioners

Represented by Adv. –

Mr. Vivekananda Jena

-versus-

Smt. Parbati Jena and others

.....

Opposite Party

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

25.02.2026

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard the learned counsel for the Petitioners. Perused the CMP application as well as the prayer made therein.
 3. By filing the present CMP application, the Petitioners-Defendants seeks to challenge the order dated 15.11.2025 passed by the learned Senior Civil Judge, Soro in C.S. No.399/334 of 2020 whereby the application of the Opposite Parties-Plaintiffs filed under Order-6 Rule-17 of C.P.C. seeking amendment of the plaint has been allowed.
 4. Learned counsel for the Petitioners, at the outset, contended that at a belated stage, the application for amendment was filed without explaining the delay and the learned trial court without



applying the due diligence test has been pleased to allow such application for amendment.

5. Considering the submission made by the learned counsel for the Petitioners, this Court is of the view that the matter requires further consideration in presence of the Opposite Parties.

6. Hence, issue notice to the Opposite Party No.1 by Speed Post with A.D. by fixing a short returnable date. Requisites be filed within ten days hence.

7. Notice to the Opposite Party No.2 to 5 is dispensed with for the time being.

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

I.A. No.246 of 2026

9. Heard the learned counsel for the Petitioners.

10. As an interim measure, it is directed that on an application being filed by the Petitioners before the learned Civil Judge (Senior Division), Soro seeking adjournment of C.S. No.399/334 of 2020, the learned Civil Judge (Senior Division), Soro shall do well to adjourn the suit for a period of eight weeks.

(Aditya Kumar Mohapatra)
Judge