



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.316 of 2026

Laxmidhar Nayak

.....

Petitioner

Represented by Adv. -
Pabitra Kumar Behera

-versus-

Muralidhar Nayak 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 learned counsel for the Petitioner-defendant No.3 in C.S. No.365 of 2015, pending in the court of learned Civil Judge (Junior Division), Kendrapara. 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 defendant No.3 has approached this Court challenging order dated 24.12.2025 passed by the learned trial Court, thereby allowing application of the Opposite Party No.1 filed under Order 26 Rule 9 of CPC.
 4. Upon hearing of the learned counsel for the Petitioner, this Court is of the view that the matter requires further hearing in presence of the Opposite Parties.



5. Hence, issue notice to the Opposite Party No.1 by Registered Post/Speed Post with A.D. by fixing a short returnable date. Requisites be filed within three working days.

6. List this matter in the week commencing 23.03.2026.

7. Notices to Opposite Party Nos.2 to 17 are dispensed with for the time being.

I.A. No.258 of 2026

8. Notice as above.

9. Accept one set of process fee.

10. As an interim measure, it is directed that order dated 24.12.2025 at Annexure-1 shall not be given effect to till the next date.

(Aditya Kumar Mohapatra)
Judge