



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.350 of 2026

Brajakishore Das

.....

Petitioner

Represented by Adv. -
Susanta Kumar Jethy

-versus-

Govt. Of Orissa & Ors.

.....

Opposite Parties

Represented by Adv. -
Ms. S.Nayak, A.S.C.

CORAM:

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

ORDER

Order No.

23.02.2026

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as the learned counsel for the State.
3. The present CMP application has been filed at the instance of the Plaintiff in C.S. No.112 of 1999/437 of 2001 challenging order dated 05.02.2026 at Annexure-6 passed by the learned Civil Judge, Junior Division, Bhadrak, thereby rejecting the application of the Plaintiff under Order 11 Rule 15 of CPC.
4. Learned counsel for the Petitioner, at the outset, contended that during the pendency of the suit and after receipt of summons, the Defendant No.2 filed his W.S. wherein he referred to two orders on the basis of which he is claiming title over the suit scheduled property. However, such documents were not filed along with the written statement. Accordingly, the Plaintiff moved an application



under Order 11 Rule 15 for a direction to the Defendant No.2 to produce copies of the orders relied upon in his W.S. Such application having been rejected, the Petitioner has approached this Court by filing the present CMP application.

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

6. Hence, issue notice to the Opposite Parties.

7. Learned counsel for the State accepts notice on behalf of Opposite Party Nos.1, 3, 4 & 5, two extra copies of the application be served on her within three working days.

8. Issue notice to the Opposite Party No.2 by Speed Post with A.D. by fixing a short returnable date. Requisites be filed within a week.

9. List this matter in the week commencing 23rd March, 2026.

I.A. No.302 of 2026

10. As an interim measure, it is directed that on an application being filed by the Petitioner seeking adjournment, the learned trial court shall do well to adjourn the suit proceedings for a period of six weeks.

(A.K. Mohapatra)

Judge