



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.342 of 2026

Chandra Sekhar Panda

.....

Petitioner

Represented by Adv. -
Dwarika Prasad
Mohanty

-versus-

Padmolochan Panda & Ors.

.....

Opposite Parties

Represented by Adv. -

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. 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 Petitioner-Plaintiff in C.S. No.2082/2404 of 2023 has approached this Court challenging the order dated 28.01.2026 passed by the Senior Civil Judge (LR & LTV) Balasore, thereby rejecting the plaintiff's application under Order 6 Rule 17 of the CPC.
4. On perusal of the impugned order, it appears that the learned trial court has recorded the factual background of the present case, however, there is no specific discussion or finding as to why the provision under Order 6 Rule 17 would not be applicable to the fact of the plaintiff's case.



5. Taking into consideration the submission made by the learned counsel for the petitioner, and upon a careful scrutiny of order dated 28.01.2026, 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 by Speed Post with A.D. by fixing a short returnable date. Requisites be filed within three working days.

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

I.A. No.331 of 2026

8. 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 matter for a period of six weeks.

(A.K. Mohapatra)

Judge

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