



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.357 of 2026

Bhupinder Singh

.....

Petitioner

Represented by Adv. -
Sumitra Mohanty

-versus-

Iqbal Singh & 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 CMP application under Article 227 of the Constitution of India, the Defendant No.1 in the suit has approached this Court to quash the impugned order dated 08.07.2025 at Annexure-1, whereby the petition filed by the Petitioner raising objection to the maintainability of the counter claim filed by the Defendant No.4 has been dismissed.
4. Learned counsel for the Petitioner, at the outset, contended that by virtue of the order dated 08.07.2025, the learned trial court had specifically directed Defendant No.4 to serve a copy of the counter claim on Defendant No.1. However, despite such direction, when Defendant No.1 filed a petition seeking dismissal of the counter claim, the same was rejected by the learned trial court. It is therefore



submitted that the objection raised by the Petitioner to the maintainability of the counterclaim has not been considered in its proper perspective.

5. Considering the aforesaid facts, this Court is inclined to hear the Opposite Parties.

6. Accordingly, issue notice to the Opposite Parties by Speed Post with A.D. by fixing a short returnable date. Requisites be filed within a week.

7. List this matter in the week commencing 30th March, 2026.

I.A. No.360 of 2026

8. As an interim measure it is directed that the further proceeding in counter claim arising out of C.S. No.4 of 2019 shall continue, however, no final decision shall be taken without leave of this Court.

(A.K. Mohapatra)

Judge

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