



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.363 of 2026

Praveen Chandra Bhanjdeo

.....

Petitioner

Represented by Adv. –

Mr. Bibekananda Bhuyan,
Advocate along with Sourav
Suman Bhuyan, Advocate

-versus-

Rajrajeshwar Prasad Singh
Chandel and others

.....

Opposite Parties

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA
ORDER
24.02.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard the 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 Petitioner seeks to challenge the order dated 19.01.2026 passed by the learned Senior Civil Judge, Baripada in C.S. No.291 of 2023, thereby allowing the application under Order-XXII Rule-3 r/w Section 151 of C.P.C. of the legal heirs of the deceased Plaintiff Smt. Prativa Manjari Devi despite objection by the Petitioner-Defendant in the suit.
4. Learned counsel for the Petitioner, at the outset, took a plea that since the entire right is based on the will executed in favour of



the Plaintiff and after the death of the Plaintiff, no right to sue survive in favour of the legal heirs of the Plaintiff as the will was not probated during the life time of the beneficiary.

5. Considering the submission made by the learned counsel for the Petitioner, this Court is of the view that the matter requires further examination in presence of the contesting 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 a week hence.

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

I.A. No.368 of 2026

8. Heard the learned counsel for the Petitioner.

9. Issue notice as above.

10. Accept one set of process fee.

11. As an interim measure, it is directed that on an application being filed by the Petitioner before the learned Senior Civil Judge, Baripada seeking adjournment of C.S. No.291 of 2023, the learned Senior Civil Judge, Baripada shall do well to adjourn the suit for a period of eight weeks.

(A.K. Mohapatra)
Judge