



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.374 of 2026

Debabrata Pradhan

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Petitioner

Represented by Adv. –
Mr. Maheswar Mohanty

-versus-

Rajani Kanta Mohanty and another

Opposite Parties

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA
ORDER
26.02.2026

Order No.

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 Petitioner seeks to challenge the order dated 24.01.2026 passed by the learned Additional District Judge, Pattamundai in F.A.O. No.53/2025 (50 of 2019) thereby confirming the order dated 01.07.2019 passed by the learned Senior Civil Judge, Pattamundai in Interim Application No.187 of 2018, which arising out of C.S. No.207 of 2018.
4. Learned counsel for the Petitioner, at this juncture, contended that on the basis of a fake sale deed, the Opposite Parties are claiming title over the suit schedule property, which is admittedly a joint



family property. Accordingly, the Plaintiff has filed a suit for declaration. In the said suit, the Petitioner prayed for injunction. However, such injunction having been refused by the trial court, the Petitioner has approached this Court by filing the present CMP application.

5. Considering the submission made by the learned counsel appearing for the Petitioner, this Court is of the view that the matter requires further consideration 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 shall be filed within ten days hence.

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

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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 the status quo with regard to possession of suit schedule land be maintained till the next date.

(Aditya Kumar Mohapatra)
Judge