



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.356 of 2026

Khata Pradhan

.....

Petitioner

Represented by Adv. -
Niranjan Hota

-versus-

Shiba Patra & 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, the JDR and plaintiff in the suit has approached this Court with a prayer to set aside the order dated 03.07.2023 passed by the learned District Judge, Sonepur, in MJC No.03 of 2002 arising out of T.A. No.26 of 2000.
4. Learned counsel for the Petitioner, at the outset, contended that the abovenoted title appeal was dismissed due to non-prosecution vide order dated 22.01.2002. He further contended that immediately thereafter, MJC No.03 of 2002 was filed seeking restoration of the appeal. However, such MJC was kept pending and finally disposed of vide order dated 03.07.2023, thereby rejecting such MJC. Learned counsel for the Petitioner further submitted that due to the laches on the part of his conducting counsel, the Petitioner is likely to suffer



irreparable loss, and unless the appeal is restored and heard on merits.

5. Taking into consideration the aforesaid submission, 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 be filed within a week.

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

(A.K. Mohapatra)

Judge

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