



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.413 of 2026

*M/s. Krishna Properties
Developers Pvt. Ltd.,
Bhubaneswar*

.....

Petitioner

Represented by Adv. –
Mr. Lingaraj Sarangi

-versus-

*Priyadarshini Enclave,
Bhubaneswar*

.....

Opposite Party

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

24.03.2026

Order No.

- 02.
1. This matter is taken up through Hybrid 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 Plaintiff in C.S. No.413 of 2026 pending in the court of learned Civil Judge (Senior Division), Bhubaneswar has approached this Court challenging the order dated 21.02.2026 passed by the learned Civil Judge (Senior Division), Bhubaneswar in I.A. No.01 of 2026, arising out of the above noted suit.
 4. Learned counsel for the Petitioner, at the outset, contended that the Plaintiff along with the suit filed and application under Order-39 Rule-1 & 2 of C.P.C. and an application under Order-39 Rule-3 of C.P.C. seeking ad interim ex parte injunction. Learned counsel for the Petitioner, at this juncture, contended that the Defendants are making



unauthorized construction over the land whose stands recorded in the name of the proforma defendants, who have executed a General Power of Attorney in favour of the Petitioner. However, the prayer for ex parte ad interim injunction has been rejected by the trial court vide order dated 21.02.2026. He further submitted that although the matter was posted to 16.03.2026, however the same could not be taken up as the Presiding Officer has gone on SR duty to West Bengal.

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 Opposite Party.

6. Hence, issue notice to the sole Opposite Party by Special Messenger. Special Messenger cost be assessed and deposit be made by day after tomorrow (26.03.2026).

7. List this matter on 31st March, 2026.

(Aditya Kumar Mohapatra)
Judge

Debasis