



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.462 of 2026

Debi Prasad Barik

.....

Petitioner

Represented by Adv. -
Karunakar Gaya

-versus-

Baidehi Swain and others

.....

Opposite Parties

Represented by Adv. -

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

ORDER
25.03.2026

Order No.

- 01.
1. This matter is taken up through Hybrid 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 Respondent No.3 in RFA No.16 of 2022 which is pending before the ADJ, Nimapara has approached this Court by filing the present application under Article 227 of the Constitution of India for a direction to the learned First Appellate Court for early disposal of the appeal.
 4. Learned counsel for the Petitioner at the outset contended that initially an FA was filed before this Court bearing F.A. No.249 of 2001 challenging the judgment and decree passed in T.S. No.199/152 of 2000/97. Thereafter, the same has been transferred to the Court of the learned ADJ, Nimapara and has been reregistered as RFA No.16 of 2022. Learned counsel for the Petitioner at this



junction contended that the appeal is pending for more than two decades. On such ground, learned counsel for the Petitioner contended that the First Appellate Court be directed to expedite the hearing of the appeal and the appeal be disposed of in a time bound manner.

5. Taking into consideration the submission made by the learned counsel for the Petitioner, on a careful examination of the background facts, this Court found that the appeal originally is of the year 2001 and after the same was transferred to the court of learned ADJ, Nimapara, the same has been reregistered as RFA No.16 of 2022. In view of the aforesaid position, this Court is inclined to direct the First Appellate Court to make every endeavor to consider and dispose of the first appeal as expeditiously as possible preferably within a period of six months. The parties are directed to the learned First Appellate Court and shall not seek any unnecessary adjournment.

6. With the aforesaid observation/direction, the CMP application stands disposed of.

(Aditya Kumar Mohapatra)
Judge