



IN THE HIGH COURT OF ORISSA AT CUTTACK

LPA No.1 of 2025

M/s. Seven Hills Estate Ltd., Puri Appellant

Represented By Adv. –
Mr. P.K. Ray, Advocate

-versus-

M/s. Seven Hills Flat Owners Respondents
Association, BBSR and others

Represented By Adv. –

CORAM:

**THE HON'BLE MR. JUSTICE ARINDAM SINHA,
ACTING CHIEF JUSTICE**

AND

THE HON'BLE MR. JUSTICE M.S. SAHOO

ORDER
25.03.2025

Order No.
01.

LPA no.1 of 2025 and I.A. no.1 of 2025

1. Mr. Ray, learned advocate appears on behalf of appellant and submits, the appeal has been preferred against judgment dated 28th February, 2025. Inter alia, order dated 25th May, 2019 of Odisha Real Estate Regulatory Authority (ORERA) was appealed against as dealt with by impugned judgment. He submits, the controversy was on disputes for being referred to arbitration. He demonstrates from paragraph 9 in said order dated 25th May, 2019 that his client had taken preliminary objection dated 23rd February, 2019 asserting the



arbitration agreement and consequently no other forum having jurisdiction.

2. Drawing attention to page 9 in impugned judgment he submits, the learned single Judge erred on facts to say that his client had raised the plea subsequently and especially after receiving adverse verdict. He seeks interference in appeal as according to him the learned single Judge dismissed his client's appeal erroneously.

3. Appellant will put in requisites for issuance of notice of appeal and the application. Accept one set of process fee for service by registered/speed post with AD.

4. List on 29th April, 2025. Execution case no.56 of 2019 pending before the regulatory authority will remain stayed till next date of hearing.

(Arindam Sinha)
Acting Chief Justice

(M.S. Sahoo)
Judge

Jyostna/Radha

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Signed by: JYOSTNARANI MAJHEE
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