



IN THE HIGH COURT OF ORISSA AT CUTTACK

LPA No.1 of 2025

M/s. Seven Hills Estate Ltd., Puri

....

Appellant

Mr. P.K. Ray, Adv.

-Versus-

**M/S Seven Hills Estate Flat Owners
Association, Bhubaneswar & others**

....

Respondents

Mr. M. Samantaray, Adv.

Mr. S. Mohanty, Adv.

Mr. S. Swain, Adv.

Mr. Sritam Mohanty, Adv.

Mr. B. Nayak, Adv. for OP.3

CORAM:

JUSTICE KRISHNA S. DIXIT

JUSTICE CHITTARANJAN DASH

ORDER

06.07.2026

**Order No.
05.**

Vide Order No.03 dated 22.06.2026, this Bench had directed the matter to be placed before the Hon'ble the Chief Justice, basing on the submission made by the learned counsel for the Appellant to the effect that the appeal, being a Letters Patent Appeal, was required to be heard by a Bench comprising of Hon'ble the Chief Justice. The matter upon being placed before the Hon'ble the Chief Justice, it was specifically assigned to this Bench by the Hon'ble the Chief Justice vide kind minutes dated 24.06.2026 (available at Flag 'E'), and accordingly, this Bench took up the matter for hearing on 30.06.2026. It was heard at length but adjourned to this day on the fervent request of learned advocate appearing for the Appellant. Very many submissions were



made as to the maintainability of the Intra-Court Appeal of the kind. We are not convinced that such an appeal does lie, there being a catena of decisions in support of our view. This day learned counsel appearing for the Appellant did not appear, however, some junior colleague appeared and sought for time by moving a memo on health ground. Therefore, we are constrained to grant a short adjournment in the matter.

2. At this stage, learned counsel appearing for the Respondent No.1 presses for vacating the interim order granted by the Co-ordinate Bench vide order dated 25.03.2025. He rightly submits that when the maintainability of appeal itself is not demonstrated, there is no reason to continue the interim order. He submits that whatever interim order is in operation needs to be vacated at once. He tells us that the issue of maintainability of the main matter is one of the relevant factors for granting the interim order. Be that as it may, the interim order granted on 25.03.2025 was for a limited period. Extension having not been granted, we are not inclined to extend the interim order. In the circumstances, therefore, there is no warrant for examining the application filed by the Respondent No.1 for vacating the interim order when the said order has not been extended at all since 25.03.2025.

Call this matter in the 4th week of August, 2026.

(Krishna S. Dixit)
Judge

(Chittaranjan Dash)
Judge

Signature Not Verified

Digitally Signed
Signed by: ANANTA KUMAR PRADHAN
Designation: Senior Stenographer
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 09-Jul-2026 16:56:09

Prasant