



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.555 of 2026

***M/s. Architects Combine,
Bhubaneswar***

.....

Petitioner

Represented by Adv. -
Sudhansu Sekhar Jena

-versus-

***Paradeep Municipality,
Paradeep and another***

.....

Opposite Parties

Represented by Adv. -

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

15.04.2026

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 application under Article 227 of the Constitution of India, the decree holder in Execution Case No.13 of 2019 (arising out of C.S. No.100 of 2016) pending in the Court of learned Civil Judge (Senior Division) Commercial Court, Kendrapara has approached this Court by challenging order dated 21.12.2024 at Annexure-1 to the application. By virtue of the impugned order dated 21.12.2024 the learned Executing Court has



rejected the application dated 21.12.2024 under Order-8 Rule-1 & 10 of CPC read with Section 151 of CPC to set the JDR ex-parte and to not permit him to file objection.

4. Learned counsel for the Petitioner at the outset contended that the Petitioner, as plaintiff, filed a suit for recovery of money which was eventually decreed. Thereafter, the present execution case was levied, which was transferred to the court of learned Civil Judge (Senior Division) Commercial Court, Kendrapara for execution. While the execution case was pending, the judgment debtors-defendants were summoned and they appeared before the learned Executing Court. The grievance of the Petitioner in the present application is that although the decree holder Petitioner filed an application under Order-8 Rule-1 & 10 of CPC read with Section 151 of CPC, the same has been arbitrarily rejected by the learned trial Court vide order dated 21.12.2024.

5. On a careful consideration of the impugned order dated 21.12.2024 at Annexure-1, this Court is of the view that the same was passed in the year of 2024 and that the Petitioner never challenged the same till date. However, taking into consideration the genuine grievance of the Petitioner with regard to long pendency of the execution case, this Court deems it proper to dispose of the present CMP application by directing the Executing Court to expedite the execution case and make every endeavor to conclude the same as expeditiously as possible, preferably within a period of six months from the date of communication of a copy of today's order. The parties are directed not to take any unnecessary adjournments in the execution proceeding and to cooperate with the



trial Court for an early conclusion of the pending proceeding.

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

(Aditya Kumar Mohapatra)
Judge

S.K. Rout