



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.531 of 2026

Nrusingh Charan Choudhury *Petitioner*

Represented by Adv. -
Anjan Kumar Biswal

-versus-

Indian Medical Association, *Opposite Party*
Orissa State Branch, Cuttack

Represented by Adv. -

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

ORDER
24.03.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical 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 under Article 227 of the Constitution of India, the Petitioner-Appellant in RFA No.127 of 2018 pending before the learned District Judge, Cuttack has approached this Court for a direction to the learned Appellate Court to take up and dispose of CMA No.56 of 2024 which is pending since long.
4. Learned counsel for the Petitioner-Appellant at the outset contended that being aggrieved by the judgment and decree passed in C.S. No.4 of 2017, the Petitioner-Appellant preferred an appeal bearing RFA No.127 of 2018 before the learned District Judge, Cuttack. The abovenoted first appeal was dismissed due to non-



prosecution vide order dated 18.11.2021. Learned counsel for the Petitioner further contended that although an application has been filed for restoration of the abovenoted first appeal, however the same has not been taken up for more than two years. Being aggrieved by such inaction on the part of the learned Appellate Court, the Petitioner has approached this Court by filing the present CMP application.

5. Having heard the learned counsel for the Petitioner, on a careful examination of the prayer made in the present CMP application, this Court deems it proper to dispose of the CMP application with a direction to the learned Appellate Court to take up CMA No.56 of 2024 and dispose of the same as expeditiously as possible by providing opportunity to the parties to the same application. Further, liberty is granted to the Petitioner-Appellant to move the pending I.A. application seeking interim relief. In the event any such prayer is made by the learned counsel for the Petitioner-Appellant, then the learned Appellate Court shall take up such application as expeditiously as possible.

6. With the aforesaid observations and directions, the CMP application stands disposed of.

(Aditya Kumar Mohapatra)
Judge