



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMAPL No.115 of 2025

**1) Nrusingha Prasad
Sundaray**

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Petitioners

- 2) Ajit Kumar Sundaray
- 3) Aswini Kumar Sundaray
- 4) Jitendra Kumar Sundaray
- 5) Minakhi Jena @ Sundaray
- 6) Nalini Prava Jena @ Sundaray
- 7) Pramodini Baral @ Sundaray
- 8) Radhanath Sundara
- 9) Bidulata Sundaray
- 10) Srikumar Sundaray
- 11) Kishore Kumar Sundaray
- 12) Narmada Sundaray

Represented by Adv. -
M/s S.k.samantaray,
S.c.tripathy, N.sahoo,
M.das, T.sahoo

-versus-

1) Kaikei Sundara @ Baidehi

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Opposite Parties

- 2) Harish Chandra Sundara
- 3) Jhumuri Dei@ Priyambada
- 4) Bishnu Prasad Sundara
- 5) Susila Bewa
- 6) Dukhishyam Sundara
- 7) Somanath Sundara
- 8) Ashamani Bewa
- 9) Ainthi Routray
- 10) Kanchanbala Sundara
- 11) Umakanta Sundara
- 12) Hrudananda Sundaray
- 13) Apariti Sundaray
- 14) Mina Sundaray
- 15) Ratnakar Routray
- 16) Lalata Routray
- 17) Minaketan Sundara
- 18) Bijay Kumar Sundara
- 19) Sudhakar Sundaray
- 20) Nisakar Sundara
- 21) Nadia Behari Sundara
- 22) Kelu Charan Sundara @ Kelu
- 23) Balaram Sundara @ Patia
- 24) Budhinath Sundara
- 25) Sunyabasi Sundara

Represented by Adv. -
M/s S.k.mishra,
S.mishra



- 26) Sudarsan Sundara
- 27) Upendra Sundara
- 28) Sunyabasi Sundara
- 29) Ramakanta Sundara
- 30) Sauri Samantray
- 31) Ekambara Sundara
- 32) Prabhakar Sundara
- 33) Mahendra Sundara
- 34) Khiramani Sundara
- 35) Saratmani Sundara
- 36) Sarojini Sundara

CORAM:

MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

18.02.2026

Order No.

- 06.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners. Perused the CMP application as well as the minutes of the Hon'ble Chief Justice.
 3. The present CMP application arises out of second appeal in S.A. No.257 of 1997 which was dismissed due to non-prosecution on 21.03.2025 by a coordinate Bench of Hon'ble Mr. Justice A.C. Behera. Thereafter, as per the renewed roster the matter was listed for Hon'ble Mr. Justice Sashikanta Mishra who was recused from hearing this matter. Accordingly, by order of Hon'ble Chief Justice dated 27.01.2026, the matter has been placed before this Bench. Since the order of the second appeal has been dismissed for default as per the order passed by the Hon'ble Mr. Justice A.C. Behera and since the same Bench is taking up second appeal



matters, it would be fair and proper that the matter is placed before the same Bench which had earlier dismissed the matter due to non-prosecution and the same Bench is available at the moment.

4. In view of the aforesaid position, registry is directed to place the matter before the Hon'ble Chief Justice for his Lordship's consideration.

5. Considering the urgency involved in the matter, registry is directed to take steps for early listing of the matter in the next week.

(A.K. Mohapatra)
Judge

Sisir