



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CMP No.706 of 2026**

**Sarat Kumar Mishra**

....

**Petitioner**

Ms. Sailabala Jena, Advocate

-versus-

**Basanti Panda and Ors.**

....

**Opp. Parties**

**CORAM:**

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

**Order**  
**No.**

**ORDER**  
**04.05.2026**

- 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 CMP application, the Petitioner has prayed for a direction for early disposal of the I.A pending before the learned 2<sup>nd</sup> Additional District Judge, Puri, in the shape of I.A No.12 of 2026 which arises out of FAO No.5 of 2026
  4. Learned counsel for the Petitioner, at the outset, contended that the Petitioner as Plaintiff filed a suit bearing C.S No.23 of 2025 for permanent injunction. Along with the plaint, the plaintiff filed an application under Order 39 Rule 1 & 2 for grant of temporary injunction. Such



application having been rejected, the Plaintiff-Petitioner preferred FAO No.5 of 2026 which is pending for adjudication before the learned 2<sup>nd</sup> Additional District Judge, Puri. In the pending FAO, the Petitioner also filed an Interim Application bearing I.A No.12 of 2026 for temporary injunction till disposal of the FAO. Such application although has been filed since long, however, the same has not been taken up. Being aggrieved by such inaction of the learned appellate court, the Petitioner has approached this Court by filing the present application.

5. Considering the submissions made by learned counsel for the Petitioner, further taking into consideration the prayer made in the present CMP application, this Court deems it proper to dispose of the CMP Application by granting liberty to the Petitioner to move the learned 2<sup>nd</sup> Additional District Judge, Puri for early disposal of the I.A 12 of 2026 arising out of FAO No.5 of 2026. In such eventuality, the learned appellate court, subject to compliance with the procedure, shall make every endeavor to ensure that the I.A Application is disposed of at the earliest.

6. With the aforesaid observations/directions, the CMP Application stands disposed of.

**(Aditya Kumar Mohapatra)**  
**Judge**

Sashikant

Signature Not Verified

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