



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.768 of 2026

Sri Sushanta Das and others

.....

Petitioners

Represented by Adv. -
Vivekananda Jena

-versus-

Laxmimani Barik and others

.....

Opposite Parties

Represented by Adv. -

CORAM:

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

ORDER

08.05.2026

Order No.

- 01.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the Petitioners. Perused the CMP application as well as the prayer made therein.
 3. The plaintiff in C.S. No.944 of 2016 pending in the court of learned 3rd Addl. Senior Civil Judge, Balasore has approached this Court by filing the present application under Article 227 of the Constitution of India challenging order dated 18.02.2026 passed by the learned trial Court rejecting the plaintiffs application under Order-26, Rule-9 of the CPC.
 4. Upon hearing of the learned counsel for the Petitioners, this Court is of the view that the matter requires further examination in presence of the Opposite Parties. Hence, issue notice to the Opposite Parties by Registered Post/Speed Post with A.D. by fixing a short returnable date. Requisites be filed within three working days.
 5. List this matter in the week commencing 06.07.2026.



I.A. No.837 of 2026

6. Notice as above.
7. Accept one set of process fee.
8. As an interim, it is directed that let the proceeding in the suit is continue, however, the final judgment shall not be delivered till the next date.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout

Signature Not Verified

Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 11-May-2026 20:41:27

