



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMP No.716 of 2026

Shantilata Padhi @ Santi Padhi & Petitioners
another

Mr. R. K. Sahu, Advocate

-Versus-

Pratita Kumari Padhy @ Priti Opposite Party

Mr. S. Behera, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

Order
No.

ORDER
29.07.2026

04.

1. Heard learned counsel for the respective parties.
2. Instant CRLMP is filed by the petitioners to direct the learned S.D.J.M., Berhampur to dispose of the application dated 5th September, 2025 in connection with Misc. Case No.41 of 2025 ensuring it within a stipulated period on the grounds stated therein.
3. This Court by order dated 15th July, 2026 had called for a report from the learned court below in Misc. Case No.41 of 2025 and also to send scanned copies of the order-sheets therein up to 21st July, 2026 for its perusal. The status report has been received and the same is at Flag-5 so also the copies of the order-sheets in Misc. Case No.41 of 2025. From the status report, it is revealed that the hearing was fixed to 21st September, 2025 and reposted on 9th October, 2025 and thereafter, to 17th December, 2025 for appearance of other respondents. Mr. Sahu, learned counsel for the petitioner



submits that respondent Nos.4 to 7 entered appearance on 18th October, 2025 but ever since then, their appearance is shown to be pending in the order-sheets of the learned court below. The further submission is that the application dated 5th September, 2025 at Annexure-3 is not yet disposed of and pending orders. It is informed to the Court by Mr. Sahu, learned counsel that such an application was moved by the petitioners demanding an order of the learned court below in terms of Section 25(2) of the Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as 'the DV Act').

4. No notices have been issued to the opposite parties till date. Considering the order-sheets up to 21st July, 2026 in Misc. Case No.41 of 2025, it is made to understand that the appearances of respondent Nos.4 to 7 have not been reflected therein till then. Furthermore, this Court finds that such an application dated 5th September, 2025 by the petitioners is still to be attended to. The application as per Annexure-3 is at the behest of the petitioners demanding protection order and directing the opposite parties to vacate the house in question for the reason stated. Considering the grievance of the petitioners and the application i.e. Annexure-3 which is pending since September, 2025, this Court is of the view that the learned court below should be directed to dispose it of within a stipulated period pending decision in Misc. Case No.41 of 2025 filed under Section 12 of the DV Act.

5. Accordingly, it is ordered.



6. In the result, the CRLMP stands disposed of with a direction to learned S.D.J.M., Berhampur to immediately take up hearing on the application i.e. Annexure-3 and to dispose of the same in Misc. Case No.41 of 2025 followed by an order preferably within a period of four weeks from the date of receipt of a copy of this order. It is further directed that the learned court below shall do well to ensure disposal of Annexure-3 without delay considering the nature of relief sought for by the petitioners therein. It is also directed that the proceeding in DV proceeding shall be expedited for disposal of the same within a reasonable time preferably on or before 31st October, 2026.

7. Issue urgent certified copy of this order per rules.

(R.K. Pattanaik)
Judge