



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.1052 of 2026

Smt. Gayatri Bal

.....

Petitioner

Represented by Adv. -
Bhagaban Mohanty

-versus-

Shri Jayakrushna Pradhan

.....

Opposite Parties

Represented by Adv. -

CORAM:

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

ORDER

06.07.2026

Order No.

01. 1. This matter is taken up through Hybrid mode.
2. Heard the learned counsel for the petitioner. Perused the CMP application as well as the prayer made therein.
3. By filing the present CMP application the defendant in C.S. No.1129 of 2020 pending in the Court of learned Civil Judge, Senior Division, Bhubaneswar has approached this Court by filing the present CMP application under Article 227 of the Constitution of India, thereby challenging the impugned order dated 21.11.2022 passed in FAO No.99 of 2020 by the learned District Judge, Khordha.
4. Learned counsel for the Petitioner at the outset contended that the opposite party-plaintiff filed a suit for declaration and ancillary



relief. Along with that, an application was moved under Order 39, Rules 1 and 2 of the CPC. While considering the injunction application, the learned Trial Court has granted relief to the plaintiff. Being aggrieved by such grant of injunctive relief, the petitioner-defendant moved the First Appellate Court by filing the above-noted FAO. The FAO has been dismissed, thereby confirming the order passed by the learned Trial Court. In the present CMP application, the petitioner calls in question the validity of the judgment of the First Appellate Court, confirming the order passed by the learned Trial Court dated 26.11.2020.

5. Learned counsel for the petitioner, at the outset, contended that he does not want to press this application on merit. He further submitted that since the suit is of the year 2020 and the petitioner is suffering an injunction order against him, necessary directions be given to the learned Trial Court for early disposal of the suit.

6. Considering the submission made by the learned counsel for the petitioner, this Court is of the view that the suit is pending before the learned Senior Civil Judge, Bhubaneswar, which is a very old station and many year-old matters are pending before that Court. Therefore, no specific order can be passed with regard to early disposal of any particular suit within any stipulated period of time. However, taking into consideration the submission made by the learned counsel for the petitioner that the petitioner is suffering an injunction order, this Court grants liberty to the petitioner to approach the learned Senior Civil Judge, Bhubaneswar for an early disposal of the suit. In such eventuality, the learned Senior Civil Judge, Bhubaneswar, subject to the pendency of old matters as well



as the convenience of the Court, shall make an attempt to ensure that the suit pending before it is disposed of as expeditiously as possible. The parties are directed to cooperate with the learned Trial Court and shall not seek any unnecessary adjournments.

7. With the above-noted direction, the CMP application stands disposed..

(Aditya Kumar Mohapatra)
Judge

S.K. Rout