



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.1353 of 2026

CNR No. ODHHC010592212026

Sanjukta Sahoo

...

Petitioner(s)

*Mr. Ashok Kumar Sahoo,
Advocate*

-Versus-

Haramani Prusty & Ors.

....

Opposite Party (s)

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

20.08.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. The Petitioner, by filing this CMP, has made the following prayer: -

"It is therefore, humbly prayed that this Hon'ble Court may graciously be pleased to admit the CMP, the records be call for from the learned lower appellate court and issue notice to the Opp Parties more particularly OFF Party No 1 to 4 (who are Lrs of deceased plaintiff in C.S. No 66/2001 and respondent No 1 to 4 in appeal vide RFA No 39/2026) be called upon to show cause as to why the Execution Case No 8/2020 vide Annexure-3 shall not be stayed till consideration of appeal vide ANNEXURE-5 Series of the petitioner. And if no cause or insufficient case is shown the execution



proceeding vide Annexure- 3 may kindly be stayed till consideration of the 1st appeal vide Annexure-5 Series And further be please directed the appellate court heard the appeal under Annexure-5 on merit by taking consideration to the limitation petition bearing CMA 25/2026 in liberally without any further delay. “

3. Learned counsel for the Petitioner submits that the petitioner has filed appeal before the learned District Judge, Kendrapara vide R.F.A. No 39 of 2026 along with an application for condonation of delay vide CMA No 25/2026 and stay petition. He further submits that though the appeal has been filed since 27.7.2026 and Ex. Case No.8/2026 is pending to execute the judgment and decree assailed in the said first appeal proceeding, but no office note is done by the court below in its office till today to admit the appeal and stay of judgment and decree. The case is now posted for its office note and to hear the limitation petition i.e. C.M.A. as would be evident from the order sheet.

4. Upon hearing the learned counsel for the Petitioner, this Court is refrain from passing any order as prayed for by the learned counsel for the Petitioner as the petitioner has failed to show that this is a case of exceptional category where this Court should interfere.



5. Accordingly, the CMP stands dismissed. However, this Court requests the learned District Judge, Kendrapara to dispose of the aforementioned case as expeditiously as possible.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali