



IN THE HIGH COURT OF ORISSA AT CUTTACK

TRP(C) No.289 of 2025

Diptirekha Samantaray

Petitioner
....
Mr. S.S. Chaini, Advocate

-versus-

Sidharth Samantaray & ors.

Opposite Parties
....

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

14.11.2025

**TRP(C) No.289 of 2025 &
I.A. No.304 of 2025**

Order No.

02.

This matter is taken up through hybrid mode.

2. In view of the office note, notice on all the Opposite Parties, excepting Opposite Party Nos.3, 4, 7 & 8, are held to be sufficient. Still the said Opposite Parties go unrepresented when the matter is called.

3. So far as Opposite Party Nos.3 & 4, notice has returned unserved with postal endorsement "Addressee out of station".

4. Similarly, notice issued to Opposite Party Nos.7 & 8 returned undelivered with postal endorsement "Left without instruction". In view of the judgment of the Supreme Court, reported in AIR 1989 SC 630 (*M/s. Madan & Co. Vs. Wazir Jaivir Chand*), notices on the said Opposite Parties are also held to be sufficient.

5. However, to give further opportunity to the Opposite Parties, the matter stands adjourned, to be listed in the week commencing from 12th January, 2026 under the heading "For Admission".



6. It is made clear that if the Opposite Parties still go unrepresented on the adjourned date, the transfer petition shall be heard and disposed of in accordance with law in absence of the Opposite Parties.

7. In the meantime, office is directed to communicate a copy of this order to the learned Civil Judge (Senior Division), Puri, who shall do well to communicate the same to the Opposite Party No.1, who is the Plaintiff No.1 in C.S. No.324 of 2025 or the Counsel, who represents the Plaintiffs before the Court below (the present Opposite Parties) and report compliance before the next date of listing.

8. In view of the grounds urged in the transfer petition, the Petitioner is granted liberty to move for an adjournment before the learned Court below in C.S. No.324 of 2025.

9. It is made clear that if such an application is moved, learned Court below shall do well to adjourn the proceedings in C.S. No.324 of 2025 to any date beyond the week commencing from 12th January, 2026.

10. Urgent certified copy of this order be granted on proper application as per rules.

(S.K. MISHRA)
JUDGE

Banita

Signature Not Verified

Digitally Signed
Signed by: BANITA PRIYADARSHINI PALEI
Designation: SR. STENOGRAPHER
Reason: AUTHENTICATION
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 15-Nov-2025 12:48:46