



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CMP No.1390 of 2025**

***Debendra Kumar Padhi***

.....

***Petitioner***

Represented by Adv. -  
Manoranjana Mishra

-versus-

***Shiva Prasad Senapati***

.....

***Opposite Party***

Represented by Adv. -  
surya narayan biswal,  
n.k. patra , gopabandhu  
panda,s.k. patra

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

**ORDER**  
**20.07.2026**

**I.A. No.905 of 2026**

**Order No.**

- 08.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
  2. Heard learned counsel for the Petitioner.
  3. Learned counsel for the Petitioner, at the outset, contended that there are certain errors in the I.A. He does not want to press the I.A.
  4. Accordingly, the I.A. is permitted to be withdrawn.

**CMP No.1390 of 2025**

5. Heard learned counsel for the Petitioner as well as the learned counsel for the Opposite Party. Perused the CMP application as well as the prayer made therein.
6. By filling the present CMP application, the Petitioner who happens to be the plaintiff in C.S. No.715 of 2018 pending in the



Court of learned Civil Judge, Jr. Division, Bhubaneswar, has approached this Court thereby challenging order dated 15.07.2025, at Anneuxre-6, passed by the abovenamed Court and for a further direction to the Opposite Parties to restore the electric connection immediately, so that the Petitioner-plaintiff can run his business smoothly.

7. Learned counsel for the Petitioner, at the outset, contended that the Petitioner as plaintiff filed the suit for declaration and for permanent injunction. In the pending suit, the plaintiff filed an I.A. No.02 of 2025 under Section 144 of the CPC read with Section 151 on thereof with a prayer for restoration of electricity connection. After hearing learned counsel for both sides, the learned trial court vide order dated 15.07.2025, at Annexure-6, dismissed the I.A on contest. Being aggrieved by such order, the plaintiff-Petitioner has approached this Court by filing the present CMP application under Article 227 of the Constitution of India.

8. During pendency of the present CMP application, the parties, with their consent were sent to the Orissa High Court Mediation Centre for resolution of the dispute through mediation, by virtue of order dated 25.02.2026. In the meantime, report from the learned mediator has been received by this Court dated 04.04.2026. On perusal of the mediation report, which is part of the record, it appears that the matter was amicably settled with the intervention of the learned mediator at Orissa High Court Mediation Centre, Cuttack. The terms and conditions of the settlement as per mediation report are quoted hereinbelow:-

*“It I agreed between the parties concerned the petitioner namely Debendra Kumar Padhi aged 50 years, S/o. Banamali Padhi, At.- Plot No.1432, New Forest Park, p.s.-Air Fields, Dist.Khurda is rent a shop is used for mobile*



*selling handset from his land lord namely late Shiva Prasad Senapati from the year 2004 to 2009 and continue from 2009 to 2024. During his rent tenure he was paid to his land lord namely late Shiva Prasad Senapati in total a sum of Rs.15,00,0001-(Rupees Fifteen Lakhs) Only in different time and different situation.*

*2. That, it is agreed that the legal heirs of the Opp. Party after the death their father Late Shiva Prasad Senapati admitted that his father was received the same. After getting information the legal heirs of late Shiva Prasad Senapati wanted to vacate the shop to the petitioner from their premises.*

*3. It is agreed between both the parties, the petitioner wants that he should returned his money from legal heirs of land lord and he should demand a sum of Rs.15,00,000/- along with its bank interest which was mentioned in the previous agreement.*

*4. That, as per agreed between the parties concerned, the legal heirs of the opposite parties will be ready pay a Sum of Rupees Rs.23,00,000/- (Rupees Twenty-three Lakhs) and shall be paid on Demand Draft only in the name of the petitioner payable at Bhubaneswar, Branch, Dist- Khurda.*

*5. That it is agreed between the parties concerned the Legal heirs of the opposite party file a Memo and shall deposit a Demand shall be pay as a full and final amount to the petitioner within one Draft a Sum of Rupees Rs.23,00,000/-(Rupees Twenty-three Lakhs) week from today in the Hon'ble High Court.*

*6. That it is also agreed that the Opp. Party want that the petitioner file a affidavit before the Hon'ble High Court after vacate the property petitioner shall receive the amount which was deposited in the Hon'ble Court.*



*7. That, it is also agreed between the parties concerned, the petitioner will withdraw the Civil Suit No. 715 / 2018 which is pending in the Civil Judge (Junior Division), Bhubaneswar, Dist-Khurda.*

*8. That, It is agreed between the parties concerned, that the petitioner and Opp. Parties being satisfied with the respective cases files by them which are pending in any court of law. There shall be no further claim by the Petitioner and the Opp. Parties against each other in future in any manner.*

*In view of the above terms and conditions both the parties are agreed with their proposal between them.*

*Hence, the "Mediation became Successful."*

9. In view of the aforesaid settlement of the dispute at the Orissa, High Court Mediation Centre, learned counsel for the Opposite Parties handed over a cheque of Rs.23 lakhs via demand draft No.402197 dated 18.05.2026 by the Bank of Baroda, Bhubaneswar to the learned counsel for the Petitioner. The same is accepted by learned counsel for the Petitioner in Court today. As agreed between the parties, the Petitioner does not want to pursue further in the CMP application.

10. Accordingly, the CMP application stands disposed of as withdrawn.

**(A.K. Mohapatra)**  
**Judge**

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