



IN THE HIGH COURT OF ORISSA AT CUTTACK

RPFAM No.265 of 2025

CNR No. ODHCO10643722025

***Joswini Behera and
another***

.....

Petitioners

Mrs. Nibedita Mohanty, Advocate

-versus-

Deepak Kumar Behera

.....

Opposite Party

CORAM:

MR. JUSTICE SANJAY KUMAR MISHRA

ORDER

29.08.2026

**Order No.
02.**

This matter is taken up through hybrid mode.

2. Learned Counsel for the Petitioners is present.
3. As per the office notice, though notice on admission was issued to the sole Opposite Party through Speed Post with A.D., the same has returned undelivered with postal endorsement "Addressee left without instruction, hence return to sender".
4. In view of such postal endorsement so also judgment of the Supreme Court, reported in (1989) 1 SCC 264 (***M/s. Madan & Co. Vs. Wazir Jaivir Chand***), so also in (2007) 6 SCC 555 (***C.C. Alivi Haji Vs. Palapetty Muhammed & anr.***), notice on the Opposite Party is held to be sufficient.
5. However, to give an opportunity to the Opposite Party, on being asked as to the present address of the Opposite Party, learned Counsel for the Petitioners prays



for an adjournment to take instruction in the said regard.

6. Accordingly, the matter stands adjourned, to be listed in the week commencing from 21st September, by which date the learned Counsel for the Petitioners shall file requisites with correct address for issuance of notice to the Opposite Party by Speed Post with A.D.

Kanhu

(S.K. MISHRA)
JUDGE