



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.896 of 2025

CNR No. ODHC010405602025

along with

CMP No.1636 of 2025

CNR No. ODHC010655292025

(In CMP No.896 of 2025)

Saraswati Sishu Vidya Mandir, Petitioner (s)
Tulsipur & Anr.

M/s.Anjan Kumar Jena,
B. Mohanty, P. Jena, S. Acharya, Advs.
(for Petitioner in CMP No.896/2025)

M/s. Sourav Suman Bhuyan,
S. Sahoo, S.S Mohapatra, Advs.
(for Petitioner in CMP No.1636/2025).

-versus-

Swapanendu Samal & Ors. Opp. Party (s)

M/s. Sourav Suman Bhuyan,
Ms. Sujata Sahoo, S.S. Mohapatra,
Saswat Kumar Rout, Sushree Swapnali Nayak, Advs.
(for O.P.1 in CMP No.896/2025)

M/s. Sk. Zafarulla,
Mr. Jagannath Kamila
Ms. Subhasmita Pattanaik Advs.
(for O.P.2 in CMP No.896/2025)

M/s. Anjan Kumar Jena,
B. Mohanty, C. Nayak, P. Jena,
S. Acharya, S. Sadual, Advs.
(for O.Ps.1 & 2 in CMP No.1636/2025)



CORAM:
DR. JUSTICE SANJEEB K PANIGRAHI

Order No.

ORDER

9.

03.09.2026

1. This matter is taken up through hybrid arrangement.
2. Learned counsel for the parties are present. Judgment prepared in separate sheets is delivered and pronounced in open Court in the presence of learned counsel for the parties and the order is passed accordingly as follows:-
3. In the result the CMP is allowed. The order dated 15.05.2025 passed by the learned Senior Civil Judge Athagarh in C.S. No.339 of 2016 under Annexure-1 is set aside. The petition dated 05.04.2025 filed by the Plaintiff shall stand restored for fresh consideration in the light of the observations made above. Nothing said herein shall be construed as an expression of opinion on the merits of the suit or of the counter claim. There shall be no order as to costs.
4. It is, however, made clear that the observations made herein are confined to the adjudication of the present petition and shall not prejudice the trial court in any manner, which shall proceed independently in accordance with law.
5. In terms of the order passed above in CMP No.896 of 2025, the CMP No.1636 of 2025 is disposed of.



6. Interim order, if any, passed earlier stands vacated.

(Dr. Sanjeeb K Panigrahi)
Judge

B. Jhankar