



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31617 of 2021

Aparajita Sahoo

....

Petitioner

None

-versus-

Purna Chandra Sahoo

....

Opp. Party

CORAM:

JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

23.03.2026

(Hybrid Mode)

Order No.

03.

1. The matter has been listed under the heading of “For referral to the Special Mediation Drive 2.0- Mediation for the Nation”.

2. On perusal of the order dated 18.02.2026, it appears that pattern of error in dictation and typing committed by one of the Secretary is repeated. Paragraph numbers have been wrongly typed. The 3rd paragraph has been numbered as “2”.

It is directed that the paragraph number shall be corrected as “3” in the order dated 18.02.2026. Necessary correction be carried out in the order sheet in accordance with the rules.

3. None appears for the petitioner when the matter is called.

The matter is pending since 2021 and it was presented on 05.10.2021. The matter was earlier listed before the Coordinate Bench and it was directed to be



listed before the assigned Bench. On 18.02.2026, the following was directed:

“3. The matter shall be listed on 23.03.2026 under the same heading indicating that the matter shall be finally disposed of. The matter to retain its position in the list.”

4. The petition was filed seeking direction to the learned Judge, Family Court, Cuttack to dispose of Civil Proceeding No.514 of 2019 within a short stipulated time.

5. In the judgment rendered by the Constitution Bench in **High Court Bar Association, Allahabad v. State of Uttar Pradesh and others: (2024) 6 SCC 267**, wherein the following has been observed:

“42. Therefore, constitutional courts should not normally fix a time-bound schedule for disposal of cases pending in any court. The pattern of pendency of various categories of cases pending in every court, including High Courts, is different. The situation at the grassroots level is better known to the Judges of the courts concerned. Therefore, the issue of giving out-of-turn priority to certain cases should be best left to the courts concerned. The orders fixing the outer limit for the disposal of cases should be passed only in exceptional circumstances to meet extraordinary situations.

43. There is another important reason for adopting the said approach. Not every litigant can easily afford to file proceedings in the constitutional courts. Those litigants who can afford to approach the constitutional courts cannot be allowed to take undue advantage by getting an order directing out-of-turn disposal of their cases while all other litigants



patiently wait in the queue for their turn to come. The courts, superior in the judicial hierarchy, cannot interfere with the day-to-day functioning of the other courts by directing that only certain cases should be decided out of turn within a time-frame. In a sense, no court of law is inferior to the other. This Court is not superior to the High Courts in the judicial hierarchy. Therefore, the Judges of the High Courts should be allowed to set their priorities on a rational basis. Thus, as far as setting the outer limit is concerned, it should be best left to the courts concerned unless there are very extraordinary circumstances.”

In view of the law laid down by Hon'ble Apex Court as quoted above, the prayer made by the petitioner is not sustainable.

6. The C.P. was filed in the year 2019 before the learned Judge, Family Court, Cuttack. The present status of the C.P. is not known.

7. Apparently, the petitioner has lost interest in prosecuting the matter.

Accordingly, the petition stands disposed of.

(Mruganka Sekhar Sahoo)
Judge

Rajesh