



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.550 of 2021

Debraj Mohanty & Others

....

Petitioners

Represented by

Mr. G. Mukherji, Sr. Advocate

Along with Mr. S. Acharya, Advocate

- Versus -

Labani Dei

....

Opp. Party

Represented by

Mr. M.K. Pati, Advocate

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

22.07.2025

Order No.
08.

1. This matter is taken up through hybrid mode.
2. Heard in part.
3. There seems to be some confusion with regard to the stage of construction said to be undertaken over the disputed property. While Mr. Mukherji, learned senior counsel appearing for the petitioner claims that the construction has progressed up to the lintel level, Mr. Pati, learned counsel appearing for the Opposite Party disputes such assertion.
4. In order to resolve the dispute, this Court deems it proper to depute an Advocate Commissioner to the spot to physically inspect and submit a report to this Court with regard to the construction stated to be under progress and its stage. The Advocate Commissioner may also take photographs.
5. On consent of both the parties, Mr. Tushar Kumar Mishra, learned counsel, who is present in the Court is appointed as



Advocate Commissioner. Both the parties shall bear the cost of the travel and other expenses of the learned Advocate Commissioner equally. The professional fees of the Advocate Commissioner is assessed at Rs.30,000/-, which is also to be borne equally by the parties.

6. List this matter on 5th August, 2025 for submission of the report by Advocate Commissioner.

7. Mr. S. Acharya, learned counsel assisting Mr. Mukherji undertakes to supply a copy of the brief to the Advocate Commissioner for his reference.

(Sashikanta Mishra)
Judge

Puspanjali

Signature Not Verified

Digitally Signed
Signed by: PUSPANJALI GHADAI
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 24-Jul-2025 11:07:19

