



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CMP No.1760 of 2025**

*Sangeeta Devi Sharma & Anr.* ..... *Petitioners*  
Represented by Adv. -  
Arun Kumar Acharya

-versus-

*Murarilal Sharma & Ors.* ..... *Opposite Parties*  
Represented by Adv. -

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

**ORDER**  
**09.04.2026**

**Order No.**

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners. Perused the CMP application as well as the prayer made therein.
3. By filing the present CMP application, the defendant Nos.3 & 4 in CS No.130 of 2010 have approached this Court thereby challenging the order dated 20.11.2023 passed by the learned Civil Judge (Senior Division), Sambalpur.
4. Learned counsel for the Petitioners at the outset contended that pursuant to the order passed in the earlier CMP application by a Coordinate Bench of this Court on 30.08.2023, the defendant Nos.3 & 4 moved an application before the learned trial court under Order 9 Rule 9 of the CPC for setting aside the ex-parte order. He further contended that although such application was allowed and the impugned order setting the defendants ex-parte



was set aside, however, the defendant Nos.3 & 4 were not granted opportunity to file their W.S.

5. Considering such submissions, this Court is inclined to issue notice to the Opposite Parties as the matter requires further hearing in presence of the Opposite Parties.

6. Issue notice to the Opposite Party Nos.2 to 5 by Speed post with A.D fixing a short returnable date.

7. Requisites for issuance of notice be filed within three working days.

8. List this matter in the week commencing 18.05.2026.

**I.A No.561 of 2026**

9. Heard learned counsel for the Petitioners.

10. Issue notice as above.

11. Accept one set of process fee.

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

Anil