



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMAPL NO.630 OF 2022

Satyanarayan Rout and others* *Petitioners

Mr. Manas Kumar Chand, Advocate

-versus-

Bhawanipatna Mosque and another* *Opp. Parties

Mr. Arun Kumar Mishra, Advocate

(For Opp. Party No.1)

Mr. MD. Fayaz, Advocate

(For Opp. Party No.2)

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SAVITRI RATHO

ORDER

18.08.2025

Order No.

06. 1. This matter is taken up through hybrid mode.
2. Perused the kind minutes of Hon'ble The Acting Chief Justice at Flag-'A' assigning the matter to be heard by a Bench, where, Shri Justice R.K. Pattanaik is a Member. But, in view of the subsequent Notification No.577 dated 8th May, 2025, the matter is listed before this Bench for consideration.
3. This CMAPL has been filed to recall order dated 13th July, 2022 passed in W.P.(C). No.608 of 2012, by which, the writ petition was dismissed for non-prosecution.
4. Mr. Chand, learned counsel for the Petitioners submits that the writ petition was listed on 13th July, 2022, but learned counsel for the Petitioners could not keep track of the matter, for which he could not appear at the time of call. Accordingly, the writ petition was dismissed for non-prosecution on 13th July, 2022. It is his submission that the Petitioners have a fair chance of success in the writ petition. Hence, he prays for recalling the order dated 13th



July, 2022 passed in W.P.(C). No.608 of 2012 and to restore the writ petition to file.

5. Mr. Mishra, learned counsel for Opposite Party No.1 and Mr. Fayaz, learned counsel for the Opposite Party No.2 do not have any objection to the same.

6. Hence, the CMAPL is allowed and order dated 13th July, 2022 passed in W.P.(C). No.608 of 2022 is recalled and the writ petition is restored to file.

7. Requisite number of copies of the writ petition shall be served on Mr. Misha, learned counsel for Opposite Party No.1 and Mr. Fayaz, learned counsel for Opposite Party No.2 in course of the day, as undertaken by Mr. Chand, learned counsel for the Petitioners.

8. The CMAPL is allowed to the aforesaid extent.

(K.R. Mohapatra)
Judge

(Savitri Ratho)
Judge

Rojalin