



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.130 of 2026

Umesh Kumar Mohapatra

.....

Petitioner

Represented by Adv. -
Niranjan Maharana

-versus-

State Of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. -
Mr. S.Behera, A.G.A.

CORAM:

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

ORDER

24.02.2026

I.A. No.135 of 2026

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Learned counsel for the Petitioner submits that the Petitioner does not want to press the I.A. application.
 3. Accordingly, the I.A. is disposed of as not pressed.

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4. Heard learned counsel for the Petitioner as well as the learned counsel for the State. Perused the CMP application as well as the prayer made therein.
5. By filing the present CMP application, the Petitioner seeks a direction from this Court to the learned trial court take up his application filed under Order 39 Rule 2(a) of the CPC, wherein he has alleged violation of the ad-interim injunction order passed by the learned trial court.



6. Learned counsel for the Petitioner, at the outset, alleged violation of the ad-interim order passed by the learned Civil Judge, (Jr. Divn), Kujang passed in I.A. No.54 of 2025 arising out of C.S. No.77 of 2025. He further submitted that in I.A. No.54 of 2025, the learned trial court was pleased to pass an ad-interim order directing the parties to maintain status quo. However, it is alleged that the Defendants in the suit are violating of such injunction order.

7. On a careful consideration of the submissions made by the learned counsel for the Petitioner as well as the learned counsel for the State, this Court is of the view that the appropriate remedy for alleged violation of an ad-interim injunction lies before the Civil Court. Since the Petitioner has already approached the learned trial court by filing an application under Order 39 Rule 2(a) CPC, this Court deems it proper to dispose of the present CMP application by directing the learned trial court to make every endeavour to dispose of such application, in the event the same is still pending, as expeditiously as possible and preferably within a period of four weeks from the date of communication of a copy of today's order, after providing opportunity to both sides.

8. With the aforesaid observations and directions, the CMP application stands disposed of.

(A.K. Mohapatra)
Judge