



IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.1803 of 2025

Abhimanyu Sahoo

.... ***Petitioner***

Mr. A.K.Panda, Advocate

-versus-

Dhusasan Singh

.... ***Opposite parties***

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
16.12.2025

Order No.

- 02.
1. This matter is taken up through hybrid mode.
 2. Heard Mr. Panda, learned counsel for the Petitioner and Mr. Singh, learned counsel for the Opposite Parties.
 3. Present CMP is directed against impugned order dated 3rd November 2025 of learned 1st Additional Civil Judge (Sr.Division), Bhubaneswar passed in I.A. No.01 of 2025 (arising out of C.S. No.1926 of 2025), wherein the prayer of the Plaintiff under Rule 3 of Order 39 of the CPC was refused.
 4. It is submitted at the Bar that, in the meantime the Defendant has already entered appearance in the petition under Order 39 Rule 1 & 2 as well as in the suit. Thus keeping in view the scope of Order 39 Rule 3 petition, the CMP is disposed of taking note of the submission of the parties that the Defendant has already appeared in the suit as well as in the I.A. It is further directed that the learned Trial Court shall take steps for disposal of I.A. No.01



of 2025, in accordance with law, within a period of three months from the date of receipt of certified copy of this order after granting due opportunity of hearing to both parties.

5. Till such a decision is taken, the Defendant may not create any third party interest in respect of the suit land. It is further made clear that the learned Trial Court while deciding the prayer under Order 39 Rule 1 & 2 shall not be influenced by any such observation of this Court made in the present order.

6. An urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge

S.Das