



IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No.161 of 2026

Sanjukta Behera & others **Appellants**

Mr. S.S. Bhuyan, Senior Advocate

-Versus-

State of Odisha & others **Respondents**

Mr. G. Mishra, Senior Advocate
for Respondent Nos. 5 & 6

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

27.07.2026

I.A. No. 487 of 2026

Order No.

07.

1. Heard Mr. Bhuyan, learned Senior Advocate for the appellants and Mr. Mishra, learned Senior Advocate for respondent Nos. 5 & 6.

2. In course of hearing, Mr. Mishra, learned Senior Advocate for respondent Nos. 5 & 6 cited the following decisions, such as, **Tamil Nadu Housing Board Vrs. A. Viswam (Dead) by LRs (1996) 8 SCC 259** and **Premji Ratansey Shah and others Vrs. Union of India and others 1994 (5) SCC 547** to submit that opposite party No.5 being the real owner, no interim order of injunction can be directed against it. In support of the contentions advanced, Mr. Bhuyan, learned Senior Advocate submits that till the appeal is decided and disposed of on merit, the interim order of this Court dated 23rd July, 2026 should be allowed to continue. Furthermore, a judgment in W.P.(C) No. 22016 of 2024 dated 23rd December,



2025 is cited from the side of the appellants, to which, Mr. Mishra, learned Senior Advocate for respondent Nos. 5 & 6 produced the copies of the orders in W.A. No. 330 of 2026 dated 13th and 28th May, 2026 to submit that there is a restraint order against the private respondent therein. Recorded the response of Mr. Bhuyan, learned Senior Advocate for the appellants to the above contention.

3. Hearing is concluded. Order is reserved. The list of documents which are relevant to the case shall be filed by learned counsel for the appellants by 28th July, 2026.

4. Interim order shall continue till the delivery of the order.

(R.K. Pattanaik)
Judge

Kabita

Signature Not Verified

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Signed by: KABITARANI MAJHI
Reason: Authentication
Location: OHC, Cuttack
Date: 31-Jul-2026 10:53:05

