



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.1439 of 2024

Sukanta Kumar Mohanty & another Petitioner
Mr. B.K. Mohanty, Advocate

-Versus-

Saroj Kanta Lenka & others Opposite parties

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
28.03.2025

Order No.

01. 1. Heard Mr. Mohanty, learned counsel for the petitioners.
2. Instant petition is filed by the petitioners challenging the impugned order dated 23rd September, 2024 as at Annexure-7 passed in connection with C.S. No. 176 of 2011 by learned Civil Judge (Senior Division), Jagatsinghpur on the grounds stated therein.
3. Narrating the facts pleaded on record, Mr. Mohanty, learned counsel for the petitioners submits that the impugned decision as per Annexure-7 is erroneous, whereby, a direction has been issued for defendant Nos. 5 to lead evidence in first place before defendant Nos. 1 & 2. With such other grounds as the impugned order i.e. Annexure-7 is under challenge, considering the submission of Mr. Mohanty, learned counsel for the petitioners, the Court is inclined to issue notice to the opposite parties for a reply and response.
4. Hence, it is ordered.



5. Notice to the opposite parties by Registered Post with AD making it returnable at an early date and for the said purpose, requisites shall be filed by Mr. Mohanty, learned counsel for the petitioners within next seven days positively.

6. List on 2nd May, 2025 for orders.

(R.K.Pattanaik)
Judge

I.A. No.1462 of 2024

02.

1. Heard.

2. Instant petition is filed by the petitioners for interim orders.

3. Considering the plea of the petitioners, this Court, as an interim measure, awaiting appearance of the opposite parties, directs stay of further proceeding in the suit i.e. C.S. 176 of 2011 pending in the Court of learned Civil Judge (Senior Division), Jagatsinghpur till the next date.

4. List on the date fixed.

5. Urgent copy of this order be issued as per rules.

(R.K.Pattanaik)
Judge

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Signature Not Verified

Digitally Signed
Signed by: KABITARANI MAJHI
Designation: Secretary
Reason: Authentication
Location: OHC, Cuttack
Date: 04-Apr-2025 11:42:08

