



IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP No.1497 of 2024

Prasanta Kumar Rana & Others Petitioners

Mr. S.K. Nayak, Advocate

-Versus-

Gopinath Rana & Others Opposite parties
None

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
06.02.2025

Order No.

01.

1. Heard Mr. Nayak, learned counsel for the petitioners.
2. Instant petition is filed by the petitioners challenging the impugned order dated 4th December, 2024 at Annexure-6 passed in connection with I.A. No. 117 of 2024 arising out of C.S. No. 239 of 2024 by the learned Civil Judge (Junior Division), Bhadrak on the grounds stated therein.
3. It is submitted by learned counsel for the petitioners that the learned court below declined impletion notwithstanding the interest of the petitioners vis-a-vis the suit property, which was involved in C.S. No. 93 of 1996 ended in a compromise followed by a decree at Annexure-3. It is further submitted that since interest of the petitioners is involved and the suit is for partition of the self-same property, which was the subject-matter of dispute in the earlier suit, impletion of the petitioners is necessary.
4. Considering the facts pleaded on record and submission of learned counsel for the petitioners, as above, this Court is inclined to issue notice to the opposite parties.



5. Hence, it is ordered.
6. Notice to the opposite parties.
7. Requisites for issuance of notice to the opposite parties by Registered Post with A.D. shall be filed by the learned counsel for the petitioners within the next seven working days positively. Notice shall be issued fixing a short returnable date.
8. List this matter on 21st March, 2025 for orders.

(R.K. Pattanaik)
Judge

I.A. No. 1550 of 2024

2.
 1. Heard Mr. Nayak, learned counsel for the petitioners.
 2. Instant petition is filed by the petitioners for staying further proceeding in C.S. No. 239 of 2024(I) pending before the learned Civil Judge (Junior Division), Bhadrak for the reason stated.
 3. Though, this Court is not inclined to stay the proceeding in connection with C.S. No. 239 of 2024(I), however, grants liberty to the petitioners to seek an adjournment before the learned Civil Judge (Junior Division), Bhadrak, who shall, on receipt of the same, defer the hearing of the suit to any future date preferably later to 21st March, 2025.
 4. List this matter on the date fixed.
 5. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge