



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**CMAPL No.354 of 2025**

***Chakradhar Das***

.....

***Petitioner***

Represented by Adv. -  
M/s Niranjana Prasad  
Patra, M. Mohanty, S.  
Mallick, S.p. Swain, S.  
Patra, S.r. Pradhan.

-versus-

***Prafulla Kumar Pattanaik &  
Anr.***

.....

***Opposite Parties***

Represented by Adv. -

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

**ORDER**  
**18.03.2026**

**Order No.**

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner. None appears for the Opposite Parties.
3. On perusal of the record, it appears that vide order dated 21.01.2026, this Court had issued notice to the Opposite Parties in the present CMAPL vide order dated 21.01.2026. On verification of the office note, it appears that the notices were duly served on the Opposite Party Nos.1 & 2 and Mr.Amar Mohanty and his associate have entered their appearance for the Opposite Parties. However, when the matter was called none appears for the Opposite Parties. The present CMAPL has been filed with a prayer for restoration of the CMP No.1429 of 2025 which was dismissed due to non-



prosecution vide order dated 17.12.2025.

4. Learned counsel for the Petitioner at this juncture contended that immediately after dismissal of the CMP application due to non-prosecution, an application was filed for restoration of the same on 19.12.2025. Further, on verification of the CMAPL application, it appears that the learned counsel for the Petitioner has taken a ground that due to over-sight he missed the list dated 17.12.2025. As such, he could not appear before the learned bench that was taking up the matter. He further submitted that although an order was passed to dismiss the matter due to non-prosecution, however, immediately within 3 days an application was moved for restoration of the CMP application.

5. Taking into consideration the submissions made by learned counsel for the Petitioner, further on a careful analysis the ground taken in the CMAPL application, the CMAPL application is allowed. The CMP No.1429 of 2025 is restored subject to payment a cost of Rs.500/- (Rupees Five hundred) to the Advocates' Welfare Fund of Orissa High Court Bar Association.

6. Registry is directed to restore the CMP application and place the same before the appropriate assigned bench for further orders.

**( A.K. Mohapatra )**  
**Judge**

Anil

Signature Not Verified

Digitally Signed  
Signed by: ANIL KUMAR SAHOO  
Designation: Junior Stenographer  
Reason: Authentication  
Location: High Court of Orissa  
Date: 19-Mar-2026 14:33:56

