



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.575 of 2026

Sukanya Das @ Nayak* *Petitioner

Mr. D.S. Ray, Advocate

-versus-

Rahasamani Das & others* *Opp. Parties

**CORAM:
JUSTICE MRUGANKA SEKHAR SAHOO**

**ORDER
27.01.2026
(Hybrid Mode)**

Order No.

01. 1. Heard learned counsel for the petitioner. Being present in Video Conferencing he addresses arguments.

It is submitted that the order dated 14.12.2024 impugned in the Writ Petition before this Court passed in M.A.C. No.110 of 2024, decided in 4th National Lok Adalat, 2024 by the Court of the learned District Judge-cum-MACT-I, Balasore was result of a situation where the petitioner was not aware of any such proceeding.

2. On being asked, whether the petitioner was represented before the learned District Judge-cum-MACT-I, Balasore in MAC No. 110 of 2024, it is submitted that the petitioner was not a party in the



said proceeding either as a petitioner or as a respondent nor as an intervener.

On being further asked whether the petitioner before coming to this Court challenging the said order dated 14.12.2024 by filing Writ Petition in any manner had approached the Lok Adalat i.e. learned District Judge-cum-MACT-I, Balasore, the answer is 'No'.

3. Learned counsel for the petitioner relies on the decision of the Hon'ble Supreme Court rendered in **Bhargavi Construction v. Kothakapu Muthyam Reddy** reported in **(2018) 13 SCC 480**. Paragraph-33 of the said judgment is reproduced herein:

"33. So far as the second submission of the learned counsel for the respondents is concerned, it also has no merit. In our view, the decision rendered in State of Punjab [State of Punjab v. Jalour Singh, (2008) 2 SCC 660 : (2008) 1 SCC (Civ) 669 : (2008) 1 SCC (Cri) 524 : (2008) 1 SCC (L&S) 535] is by the larger Bench (three Judge) and is, therefore, binding on us. No efforts were made and rightly to contend that the said decision needs reconsideration on the issue in question. That apart, when this Court has laid down a particular remedy to follow for challenging the award of Lok Adalat then in our view, the same is required to be followed by the litigant in letter and spirit as provided therein for adjudication of his grievance in the first instance. The reason being that it is a law of the land under Article 141 of the Constitution of India (see M. Nagaraj v. Union of India [M. Nagaraj v. Union of India, (2006) 8 SCC 212 : (2007) 1 SCC (L&S) 1013]). It is then for the writ court to decide as to what orders need to be passed on the facts arising in the case."



4. Learned counsel for the petitioner has adjournment to obtain instruction and address whether as directed by the Hon'ble Supreme Court in **Bhargavi Construction** (*supra*), referring to the earlier decisions of the Supreme Court that the litigant- writ petitioner has followed the procedure laid down by the Apex Court for challenging the award of the Lok Adalat and the remedy as directed by the Apex Court has been followed in letter and spirit for adjudication of grievance in the first instance.

5. The matter shall be listed under the heading 'Fresh Admission' on 09.02.2026.

(Mruganka Sekhar Sahoo)
Judge

Radha/Rajesh

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Signed by: RADHARANI JENA
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