IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20732 of 2011

CNR No. ODHC010003522011

Tikeswar Mahakul & another .... **Petitionerd**

None

-versus-

Collector, Sundargarh and others .... **Opp. Parties**

Ms. Suman Pattanayak, AGA

CORAM:
HON'BLE MR. JUSTICE MRUGANKA SEKHAR SAHOO

ORDER
28.10.2026
(*Hybrid Mode*)

Order No.

06. **1.** The matter is prioritised and listed under the heading 'For Referral to the Special Mediation Drive – Mediation for the Nation'.

2. None appears for the Petitioners when the matter is called.

3. The matter was presented before this Court on 01.08.2011. On 16.08.2011 notices were issued by the Coordinate Bench and interim order of status quo was passed.

Thereafter, on 20.02.2013 none appeared for the Petitioners. The interim order was vacated by order dated 27.03.2015 passed in Misc. Case

No.3281 of 2013 by the Coordinate Bench. Thereafter, on 30.09.20263 the matter was taken up after eleven years of last listing and fifteen years of filing, the following order was passed:

> *"**1.** The matter is listed under the heading 'For Referral to the Special Mediation Drive – Mediation for the Nation'.*
> ***2.** It is submitted that the learned counsel for the Petitioner has some personal difficulty, the matter may be adjourned. Further request is made for an extra copy of the counter affidavit.*
> ***3.** The learned Additional Government Advocate shall ensure service of copy of the counter affidavit on the learned counsel for the Petitioner within two working days.*
> ***4.** The matter shall be listed in the week commencing 27th October, 2026 under the same heading.*
> ***5.** Registry shall obtain the up-to-date status of C.S. No.01 of 2011 from the Office of the learned Civil Judge (Senior Division), Bonai by the next date. The report shall be placed on record."*

4. Pursuant to the order dated 30.09.2026, the learned Civil Judge (Senior Division), Bonai by letter no.1485 dated 14.10.2026 (Flag-D) has intimated thus:

> *"…the case bearing number C.S 01 of 2011 has already been disposed of on 26.06.2013 by this Court and the original case record has already been consigned to the District Record Room, Sundargarh vide Parcha for the month of June, 2013."*

5. The prayer made in the Writ Petition a challenge to the refusal of interim order under Order 39 Rules 1 & 2 of CPC by the learned trial Court in the

pending Civil Suit. After disposal of the Civil Suit on 26.06.2013, nothing survives for adjudication.

6. The Writ Petition is disposed of.

(Mruganka Sekhar Sahoo)
Judge

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Signature Not Verified
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Signed by: AMIT KUMAR MOHANTY
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 29-Oct-2026 12:46:08