IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17397 of 2009

CNR No.ODHC010296212009

Indramani Maharana .... ***Petitioner***

Mr. H.N. Mohapatra, Advocate

-versus-

Iswar Chandra Sahoo and others .... ***Opp. Parties***

Mr. A.K. Sahoo, Advocate with
Mr. S. Sahoo, Advocate
(for O.P.1)

CORAM:
JUSTICE MRUGANKA SEKHAR SAHOO

ORDER
05.11.2026
(*Hybrid Mode*)

Order No.

05. **1.** The matter is prioritized and listed at the top of the list being of the year 2009 under the heading 'For Referral To The Special Mediation Drive-Mediation For The Nation'.

2. By interim order dated 30.11.2009, the Coordinate Bench has directed thus:

> ***"Misc. Case No.15009 of 2009***
> *Heard.*
> *Issue notice as above.*
> *Accept one set of process fee.*
> *Further proceeding in R.F.A. No.127 of 2008 pending on the file of learned District Judge, Puri shall remain suspended till the next date.*

Urgent certified copy of this order be granted as per rules."

Thereafter the matter has not been listed.

3. By order dated 07.10.2026, the following was observed:

> *"3. The learned counsel Mr. Modi submits that he has been entrusted the brief from the chamber of learned Senior Advocate Mr. N.K. Sahu. He files memo stating that as per their instructions, Opposite Party Nos.1 to 4 have passed away during pendency of the Writ Petition. The memo shall be taken on record and scanned copy be updated.*
> *4. The learned counsel Mr. Mohapatra appearing for the Petitioner submits that he has not been instructed by the Petitioner regarding the said event. However, he submits that further time may be granted to do the needful.*
> *5. Learned counsel are apprised of the issue in law that the Petitioner if chooses not to substitute the deceased – Opposite Party Nos.1 to 4 in the Writ Petition arising out of a RFA, the Writ Petition would abate against those Opposite Parties.*
> *6. Registry shall obtain the present status of RFA No.127 of 2008 pending before the learned District Judge, Puri/learned Court in seisin of the matter. The status of the parties before the learned Court in seisin shall also be indicated in the said report. The report shall be placed on record by 29.10.2026."*

4. Pursuant to the said order by letter No.2594 dated 28.10.2026, the following has been intimated:

> *"… … the case record in RFA No.127/2008 which was transferred from the District Court,*

Puri on dated 9.8.16 to this Court was tried by this Court bearing no. RFA 64/127 of 2016/2008 was disposed of as abated for the death of the Sole appellant i.e Iswar Chandra Sahoo on 28.01.2025. As per the case record Iswar Chandra Sahoo is the appellant and the respondents are Indramani moharana and others. The said record was thereafter consigned to the district Record Room in January 2025 and was received therein on 19.05.2025."

5. Learned counsel for the petitioner as well as learned counsel for the opposite party present in Court have gone through the said report.

6. In view of the disposal of the R.F.A., nothing survives in the present writ application to be adjudicated by this Court.

7. The writ petition is accordingly disposed of.

(Mruganka Sekhar Sahoo)
Judge

Radha

Signature Not Verified
Digitally Signed
Signed by: RADHARANI JENA
Reason: Authentication
Location: OHC
Date: 06-Nov-2026 17:59:00