IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.1346 of 2026
CNR No. ODHC010597282026

Sanjay Kumar Pradhan ***.....*** ***Petitioner***

Represented by Adv. –
Mr. Sambeet Pattanayak

-versus-

Soudamini Dei ***.....*** ***Opposite Party***

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
04.11.2026

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel appearing for the Petitioner. Perused the CMP application as well as the prayer made therein.

3. By filing the present CMP application under Article 227 of the Constitution of India, the Judgment Debtor in Execution Case No.02 of 2026, pending in the court of the learned Civil Judge (Senior Division), Pipili, which arises out of C.S. No.63 of 2025, has approached this Court challenging the impugned order dated 12.05.2026 at Annexure-3 to the CMP application.

4. Learned counsel for the Petitioner, at the outset, contended that the Opposite Party, as a Plaintiff, filed a suit for specific performance of the contract. He further contended that such suit was decreed ex parte against the present Petitioner-

Defendant/Judgment Debtor. Thereafter, the Plaintiff instituted an Execution Case. He further contended that by virtue of impugned order dated 12.05.2026, the learned Executing Court has attached the property of the Petitioner-Defendant/Judgment Debtor-Petitioner.

5. Learned counsel for the Petitioner, at this juncture, contended that the Judgement Debtor-Petitioner is ready and willing to satisfy the decree provided the attachment order lifted and he is permitted to sell the property with a further direction to deposit the entire sale proceeds before the learned trial court.

6. Considering the submissions made by the learned counsel for the Petitioner, this Court is not inclined to interfere with the order dated 12.05.2026.

7. However, while disposing of the present CMP application, liberty is granted to the Judgment Debtor-Petitioner to raise such plea before the learned Executing Court. In the event such application is filed raising such plea, the learned Executing Court shall, after providing opportunity to both Decree Holder as well as the Judgment Debtor, pass necessary consequential order.

8. With the aforesaid observation and direction, the CMP is disposed of.

(A.K. Mohapatra)
Judge

Signature Not Verified
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Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 06-Nov-2026 16:54:14