IN THE HIGH COURT OF ORISSA AT CUTTACK
CMP No.1955 of 2026
CNR No. ODHC010871312026

Satyajit Kumar Dash and others ..... ***Petitioners***

Represented by Adv. - Jagannath Bhuyan

-versus-

Lili Parida ..... ***Opposite Parties***

Represented by Adv. -

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
12.11.2026

Order No.

01. 1. This matter is taken up through Hybrid mode.

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

3. By filing the present application under Article 227 of the Constitution of India, the defendants in the suit, who happen to be the Opposite Parties in I.A. No.1 of 2019, which arises out of C.S. No.1680 of 2019, pending in the Court of learned Civil Judge Senior Division (LR & LTV), Bhubaneswar, have approached this Court challenging the impugned order dated 15.10.2026 at Annexure-7 to the CMP application. By virtue of the impugned order dated 15.10.2026 the learned trial Court, on an application of the plaintiff, has directed the parties to maintain status-quo over the suit land till hearing of the I.A., which has been fixed to 27.11.2026.

4. Learned counsel for the Petitioners, at the outset, contended

that the Opposite Party, as plaintiff, filed the suit for declaration of right, title, interest, permanent injunction and other consequential reliefs. Along with the suit, the plaintiff filed I.A. No.1 of 2019 under Order 39, Rules 1 & 2 of the CPC. Such application filed under Order 39, Rules 1 & 2 was kept pending for almost six years. Suddenly, the application bearing I.A. No.1 of 2019 was taken up on 15.10.2026. He further contended that the plaintiff filed an application on 09.10.2026 with a prayer for grant of such injunctive reliefs. Such application was taken up on 15.10.2026. He further contended that although the defendant-Opposite Parties filed their objection, the same was not taken into consideration and the learned trial Court has passed an ad-interim injunction order directing both sides to maintain status-quo over the suit land till hearing of the interim application. Being aggrieved by such order, the Petitioner-defendants have approached this Court by filing the present CMP application.

5. Upon hearing the learned counsel for the Petitioners, on a careful examination of the documents annexed to the CMP application, further on a close scrutiny of the impugned order dated 15.10.2026, this Court observes that the learned trial Court has held that although the application seeking injunction reliefs was filed in the year 2019, the same was taken up on an application being filed by the plaintiff on 09.10.2026. Moreover, order dated 15.10.2026 has been passed ex-parte without providing opportunity of hearing to the defendant-Petitioners. Since the aforesaid order has been passed keeping in view the exigency involved in the matter and such order is ad-interim in nature, this Court deems it proper to dispose of the present application by directing the learned trial Court to dispose of

the I.A. No.1 of 2019 as expeditiously as possible, preferably within a period of four weeks after providing opportunity of hearing to both sides. Such I.A. No.1 of 2019 shall be disposed of strictly in accordance with law and without being influenced by any observation made hereinabove and strictly on the basis of the merits of the matter.

6. With the aforesaid observations/directions, the CMP application stands disposed of.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout

Signature Not Verified
Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 13-Nov-2026 17:42:44