

ITEM NO.11                      Court 3 (Video Conferencing)                      SECTION XI-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).13816/2020

(Arising out of impugned final judgment and order dated 08-10-2020 in WPC No. 25751/2020 passed by the High Court of Orissa at Cuttack)

RADHA KRISHNA LALITA TEMPLE & ANR.                      Petitioner(s)

VERSUS

REETANJALI SAHU & ORS.                      Respondent(s)

(WITH IA No. 118643/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 118644/2020 - EXEMPTION FROM FILING O.T., IA No. 118641/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 07-12-2020 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s)      Mr. Ranjit Kumar, Sr. Adv.  
                                 Mr. Gopal Sankaranarayanan, Sr. Adv.  
                                 Mr. A. Deb Kumar, Adv.  
                                 Mrs. A. Deepa, Adv.  
                                 Mr. A. Lakshminarayanan, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

- 1      Mr Ranjit Kumar and Mr Gopal Sankaranarayanan, learned Senior Counsel appearing on behalf of the petitioners, submit that though the petitioners were parties to the writ proceedings instituted under Article 226 of the Constitution before the High Court and were impleaded as the seventh and eighth respondents, notice was not issued to them despite a caveat.

- 2 It has been submitted that the sale deed was executed in favour of the second petitioner on 5 June 2020; the writ petition was filed on 27 September 2020 and it was allowed by the impugned judgment of the High Court dated 8 October 2020 without notice to the petitioners. It has been submitted that the rights of the second petitioner as purchaser of the property have been displaced by the impugned judgment without an opportunity of being heard being given.
- 3 Issue notice, returnable on 18 January 2021.
- 4 Dasti, in addition, is permitted.
- 5 The direction issued by the High Court for re-auction shall remain stayed till the next date of listing.

**(SANJAY KUMAR-I)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**