



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.348 of 2009

Bidyadhar Giri

.....

Appellant

Represented By Adv. -
M/s.P.K. Singh

-Versus-

Bhagaban Patra & Others

.....

Respondent

Represented By Adv. -
M/s.Laxman Pradhan

CORAM:

MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

31.03.2026

Order No.

12. 1. This matter is taken up through hybrid mode.
2. During course of hearing of the argument, the learned counsel for the appellant submitted for framing of an additional substantial question of law, i.e, *whether, the learned Court below committed an error in law and record in not holding the suit for declaration without consequential relief for recovery of possession is not maintainable and barred under Section 34 of Specific Relief Act, 1963* after serving memo on the learned counsel for the respondents.
3. The learned counsel for the respondents submitted to answer about the above proposed formulated substantial question of law.
4. Hence, this 2nd appeal be listed two weeks after.

(ANANDA CHANDRA BEHERA)
Judge

Nitu