



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.356 of 2006

Parameswar Kampa

.....

Appellant

Represented by Adv. -
M/s.Ramakanta Mohanty,
Sr.Adv.

-versus-

Nilakantha Kampa and others

.....

Respondent

Represented By Adv. -
M/S.S.K.Padhi

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
24.04.2026

Order No.

18. 1. This matter is taken up through hybrid mode.
2. Heard the 2nd appeal from the learned Sr.Counsel for the Appellant and the learned counsel for the Respondent Nos.1 and 4 on the point of admission.
3. Admit the 2nd appeal on formulation of the following substantial questions of law i.e.:-
- (i) “Whether, the judgments and decrees passed by the learned Trial Court as well as learned 1st Appellate Court refusing to declare the title of the Plaintiff over Schedule-B properties through adverse possession without taking the date of starting of the hostile possession of the Plaintiff since the date of execution of the unregistered sale deed vide Ext.1 making the said deed admissible for collateral purpose invoking the



proviso of Section 49 of the Indian Registration Act, 1908 is sustainable under law?”

(ii) “Whether, the findings and observations made by the learned Trial Court that, when, the Plaintiff has admitted the antecedent title of the Defendants, he is precluded under law to seek relief for declaration of title through adverse possession is sustainable under law, when as per law, without admitting the title of the opponent, one cannot be able to take the plea of adverse possession?”

4. Issue notice to the Respondents.
5. The learned counsel for the Appellant is directed to file requisites within seven working days for issuance of notice to the Respondent Nos.2(a), 2(b), 3 and 5 through Speed Post with A.D. within seven days.
6. Registry is directed to call for the photo copies of the LCRs of this 2nd appeal.
7. List this matter after two months.

(ANANDA CHANDRA BEHERA)
Judge

Binayak