



IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No.90 of 2026

Kalandi Charan Nayak

.....

Appellant

Represented by Adv. -
Pragyan Paramita
Mohanty

-versus-

Rama Chandra Padhi

.....

Respondent

Represented by Adv. -

CORAM:

MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

26.02.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard the 2nd appeal from the learned Counsel for the Appellant on the point of admission.
3. Admit the 2nd appeal on formulation of the following substantial question of law i.e.:-
- (i) “*Whether, the judgment passed by the learned 1st Appellate Court in R.F.A. No.06 of 2025 refusing to condone the delay in preferring the 1st Appeal vide R.F.A. No.06 of 2025 by the Appellant without applying the provisions of Section 14 of the Indian Limitation Act, 1963 is sustainable under law*”?
4. Issue notice to the Respondent.
5. The learned counsel for the Appellant is directed to file requisites within seven working days for issuance of notice to the Respondent through Speed Post.



6. Registry is directed to call for the photo copies of the LCRs of this 2nd appeal.
7. List this matter on 30.06.2026.

(ANANDA CHANDRA BEHERA)
Judge

02.

I.A. No.315 of 2026

1. The further proceedings of Execution Case No.06 of 2024 arising out of the judgment and decree passed in C.S. No.94 of 2017 by the learned Sr. Civil Judge, Rayagada in connection with the judgment and decree passed in R.F.A. No.06 of 2025 by the learned District Judge, Rayagada be stayed till next date.
2. List this I.A. on 30.06.2026 for objection and hearing.
3. Urgent certified copy of this order be granted to the Appellant on proper application.

(ANANDA CHANDRA BEHERA)
Judge

Binayak