



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.102 of 2026

Rajendra Kumar Mund

.....

Appellant

Represented by Adv. -
Asit Pattnaik

Ms.S.S.Mund

-versus-

1) Mukesh Kumar Agrawal

.....

Respondents

2) Poonam Chand Agrawal

Represented by Adv. -

3) Gopal Krishna Agrawal

Ms.B.L.Tripathy, ASC

4) Kamlesh Agrawal

5) Malabai Agrawal

6) Govt. Of Odisha

7) Collector , Kalahandi

CORAM:

MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

27.02.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard the 2nd appeal from the learned Counsels of both the sides.
3. Admit the 2nd appeal on formulation of the following substantial questions of law i.e.:-
- (i) “Whether, the suit properties being Nazul land is alienable under law by its possessor through sale deed without the permission from the Government Authorities”?
- (ii) “Whether, the suit between the parties was maintainable under law in respect of the Nazul properties in absence of the Government”?



(iii) “Whether, the judgments and decrees passed by the learned Trial Court as well as the learned 1st Appellate Court holding that, the sale deed vide Ext.1 executed by the father of the Defendant (in whose favour, the note of possession in remark columns was reflected) in favour of the Plaintiff is valid under law is sustainable under law”?

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 notices to the Respondents 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 20.07.2026.

(**ANANDA CHANDRA BEHERA**)
Judge

02.

I.A. No.343 of 2026

1. As, the 2nd appeal has already been admitted and this I.A. has arisen out of R.S.A. No.102 of 2026, for which, the further proceedings of Execution Case No.07 of 2025 arising out of the judgment and decree passed in C.S. No.160 of 2017 by the learned Civil Judge (Sr. Division), Bhawanipatna be stayed till next date.
2. List this I.A. on 20.07.2026 for objection and hearing.



3. Urgent certified copy of this order be granted to the Appellant on proper application.

(ANANDA CHANDRA BEHERA)
Judge

Binayak