



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.128 of 2026

Purna Chandra Pujari and others ***Appellants***

Represented by Adv. -
Maheswar Mohanty

-versus-

Grameswar Dev Marfat Bije Palanka, Puri and others ***Respondents***

Represented by Adv. –

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
09.04.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard the 2nd appeal from the learned Counsel for the Appellants on the point of admission.
3. Admit the 2nd appeal on formulation of the following substantial questions of law i.e.:-
- (i) “*whether the suit vide C.S. No.129 of 2008 filed by the Respondents for declaration and permanent injunction in respect of the properties recorded in the name of both the sides jointly in the consolidation R.o.R. is maintainable under law without challenging the same before the higher forum of the consolidation authorities?*”
- (ii) “*Whether, the findings and observations made by the learned Trial Court as well as the learned 1st Appellate Court regarding the interpretation of the documents vide Ext.2 was correct under law?*”
- (iii) “*Whether, the suit of the Plaintiffs/Respondents for declaration and permanent injunction was maintainable*



under law, when, there is a document relating to the use of the suit land by the villagers, as an approach to the village main road without impleading the villagers as a party and without compliance of provisions of Order 1 Rule 8 of the C.P.C. was maintainable under law?"

4. Issue notice to the Respondents.
5. The learned counsel for the Appellants 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 in the Month of October, 2026.

(ANANDA CHANDRA BEHERA)
Judge

02.

I.A. No.383 of 2026

1. Both the Parties are directed not to obstruct each other from using the suit properties as the road till next date.
2. List this I.A. in the Month of October, 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