



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.138 of 2026

Baggi Manga Reddy

.....

Appellant

Represented by Adv. -
Ajaya Kumar Nanda

-versus-

Sasanapuri Labanya

.....

Respondent

Represented by Adv. -

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
30.04.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard this 2nd Appeal from the learned counsel for the appellant on the point of admission.
3. Admit this 2nd Appeal on formulation of the following substantial questions of law:-

(i) Whether the Judgment and Decree passed by the learned Trial Court and confirmation to the same by the learned First Appellate Court holding that, the deed vide Ext.1 is a sale deed but the same was not a mortgage deed in the guise of mortgage deed disregarding the pleas of the defendant when the defendant has substantiate her pleas is sustainable under law?

(ii) Whether the Judgment and Decree passed by the learned Trial Court for declaration of the title in favour of the plaintiff-respondent without any decree for recovery of possession



when the appellant-defendant is in the possession over the suit house is sustainable under law?

(iii) Whether the due execution of the so-called deed vide Ext.1 has been proved through legally admissible evidence when the so-called executant thereof is a Telegu Lady who does not know how to read and write Odia and whether the said deed was executed with the intention and knowledge of the so-called executant (defendant-appellant) in order to execute the same as a sale deed in favour of the plaintiff-respondent?

4. The Registry is directed to call for the photocopies of the LCRs of this 2nd Appeal on or before the next date.

5. The appellant is directed to file requisites for issuance of notice to the respondent through Speed Post with A.D. within 7 working days.

6. List this matter on 12.08.2026.

7. Urgent certified copy of this order be granted to the appellant on proper application.

(ANANDA CHANDRA BEHERA)
Judge