



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**RSA No.180 of 2026**

***Damodar Sahu and others***

**.....**

***Appellants***

Represented by Adv. -  
Amiya Kumar Mishra

**-versus-**

***Sri Sri Patitapaban Dev Bije***

**.....**

***Respondents***

***Panas Patna, Balakati,***

***Khurda and another***

Represented By Adv. - M/S  
Mruganka Mauli Patnaik,  
B.S.Kar,A.Mohapatra  
(Caveator)

**CORAM:**

**MR. JUSTICE ANANDA CHANDRA BEHERA**

**ORDER**

**05.05.2026**

**Order No.**

02. 1. This matter is taken up through hybrid mode.
2. Heard the 2<sup>nd</sup> appeal from the learned Counsel for the Appellant and the learned Caveator-Respondent No.1 on the point of admission.
3. Admit the 2<sup>nd</sup> appeal on formulation of the following substantial question of law i.e.:-
- (i) *“Whether, the judgment and decree passed by the learned Trial Court in allowing the suit for injunction simpliciter filed by the Plaintiff and the confirmation of the same by the learned 1<sup>st</sup> Appellate Court are sustainable under law, when a proceeding under Section 68 of The Odisha Hindu Religious Endowments Act, 1951 was filed*



*by the Respondent No.1 praying for recovery of possession of the suit properties and when, till yet, the recovery of possession has not been made through due process of law is sustainable under law?”*

4. Issue notice to the Respondent.
5. The learned counsel for the Appellants is directed to file requisites within seven working days for issuance of notice to the Respondent No.2 through Speed Post.
6. Registry is directed to call for the photo copies of the LCRs of this 2<sup>nd</sup> appeal.
7. List this matter after summer vacation.

**( ANANDA CHANDRA BEHERA )**  
**Judge**

03.

**I.A. No.527 of 2026**

1. Both the Parties are directed to keep the suit properties as it is in status quo without changing the nature and character of the same and without creating any third party interest thereon till next date.
2. List this I.A. after summer vacation for objection and hearing.
3. Urgent certified copy of this order be granted to the Appellant on proper application.

**( ANANDA CHANDRA BEHERA )**  
**Judge**

Binayak