



IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No.264 of 2002

Harmohan Khuntia

Appellant(s)

Represented By

Mr. R.K. Mohanty, Senior Advocate

-versus-

Ashamani Jena

....

Respondent(s)

Represented By

Ms. Manisha Mishra, Advocate

appearing on behalf of Mr. S. Mishra,

Advocate

CORAM:

MR. JUSTICE A.C. BEHERA

ORDER

18.07.2024

Order No.

- 10.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. The M.C. Nos.585,586 & 587 of 2014 were filed on behalf of the appellant to substitute the LR's of the sole deceased respondent indicating the names of some persons as her legal heirs.
 3. The named so-called proposed LR's have filed objection stating that, they are not the LR's of the deceased respondent, but one Sagar Jena is the LR of the deceased respondent, because he is the adopted son of the deceased respondent.



The learned counsel for the appellant filed I.A. No.492 of 2023 praying for dismissal of the Misc. Case Nos.585,586 & 587 of 2014 as not pressed, because the respondent has expired without leaving any LR, for which, the substitution of her any LR does not arise. To which, one Sagar Jena through his counsel objected by filing an objection stating that he being the adopted son of deceased, he is the LR of the deceased respondent and he (Sagar Jena) is required to be substituted in place of deceased respondent.

4. The appellant also objected the same through his counsel through a written objection stating that, Sagar Jena is not the adopted son of the deceased and the deceased has no LR.

5. Therefore, all the above I.A. and Misc. Cases are to be listed on 06.08.2024 for hearing, whether as per law, it is the duty of the appellants to substitute anybody in place of the deceased respondent or not.

(A.C. Behera)
Judge