



IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No.225 of 2026

Mahendra Kumar Mohanty

.....

Appellant

Represented by Adv. -
Soumya Mishra

-versus-

1) Surendra Kumar Mohanty

.....

Respondents

2) Rabindra Mohanty,

Represented by Adv. -

CORAM:

MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

06.05.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard the 2nd appeal from the learned Counsel for the Appellant on the point of admission.
3. Admit the 2nd appeal on formulation of the following substantial question of law i.e.:-
- (i) “Whether, the judgment and decree passed by the learned 1st Appellate Court in R.F.A. No.44 of 2024 in setting aside the judgment and decree passed by the learned Trial Court holding that, the R.o.R. vide Ext.1 was published under the O.C.H and P.F.L. Act, 1972, even after de-notification of the consolidation and whether, the R.o.R. published by the consolidation authority after de-notification of the consolidation should have been treated as a R.o.R. under The Orissa Survey and Settlement Act, 1958 and whether the judgment and decree passed by the learned 1st



Appellate Court on the basis of the aforesaid observation 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 notice 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 after summer vacation.

(ANANDA CHANDRA BEHERA)
Judge

02.

I.A. No.749 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