

IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No.170 of 2019

Niranjan Swain

.... ***Appellant***
Mr.S.S.Das, Sr.Advocate

-versus-

Archi Rout and others

.... ***Respondents***

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
07.12.2021**

Order No.

4.

1. Heard Mr.Das, learned Senior Counsel for the Appellant.
2. The appeal is admitted on the following substantial questions of law.

“(i) Whether non-framing of the issue on the particular point despite there are pleadings and evidence would affect the fate of the judgment and caused prejudice to the parties ?

(ii) Whether the points formulated by the first appellate court are beyond the scope of the issues framed by the learned trial court and pleadings of the parties ?”

3. Issue notice to the Respondents by registered post with A.D. for which requisites shall be filed within seven days.

4. List on 25th March, 2022.

I.A.No.419 of 2019

5. As an interim, it is directed that status quo as on date in respect of the suit schedule property shall be maintained till 25th March, 2022.

6. Urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge

C.R.Biswal

