



IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No. 54 of 2021

Purandar Lohar and Others

....

Appellants

Represented by

Mr. B.B. Routray, Advocate

-Versus -

Bahadur Lohar and Others

....

Respondents

Represented by

Mr.B.P. Das, Advocate

(For R.-1)

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.08.2024

Order No.

9.

1. This matter is taken up through hybrid mode.
2. Mr. B.P. Das, learned counsel for the respondent No.1 submits that he has received the costs of Rs.1,000/- directed to be paid by this Court.
3. Heard Mr. B.B. Routray, learned counsel for the appellants. Perused the impugned judgments.
4. Considering the submissions and the grounds raised, the second appeal is admitted on the following substantial question of law:-

“i .Whether the relief of declaration of title on the basis of the Sale Deeds vide Ext.1 and 2 is available to the plaintiff when the sale is in respect of specific portion of land of the joint holding and there is no partition between the co-owners by metes and bounds?”

5. No notice need be issued to the contesting respondents, since they



have already entered appearance thorough Mr. B.P. Das on whom copies of the appeal memo be served.

6. Call for the LCR.
7. List this matter in the week commencing 7th October, 2024.

(Sashikanta Mishra)
Judge

I.A. No. 288 of 2021

Order No.
10.

1. Status quo with regard to the suit property shall be maintained till the next date.
2. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

BC. Tudu