



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.282 of 2025

1) Karunakar Lenka

.....

Appellants

2) Kartik Chandra Lenka

Represented by Adv. -
Satrughna Dash (a)

-versus-

1) Biswanath Sethi

.....

Respondents

2) Laxmidhar Lenka

Represented by Adv. -

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
23.02.2026

Order No.

02. 1. This matter is taken up through hybrid mode.
2. Heard the 2nd appeal from the learned counsel of for the Appellants on the point of admission.
3. Admit the 2nd appeal on formulation of the following substantial question of law i.e.:-
- (i) *“Whether, the findings and observations made by the learned Trial Court as well as learned 1st Appellate Court in the Judgments and Decrees of the suit and the 1st Appeal holding that, permission under Section 4(2) of the OCH & PFL Act, 1972 was compulsory for alienation of the suit properties in favour of the Plaintiff by the Defendant No.2 through registered sale deeds vide Exts.1 and 2, even though, the suit properties were non-consolidable properties and the observations made by the learned Trial Court and learned 1st Appellate Court that, no right, title*



and interest of the plaintiff was created in respect of the suit properties on the basis of the said sale deeds vide Exts.1 and 2 and whether the findings and observations made by the learned Trial Court that, the sale deeds vide Exts.1 and 2 in favour of the Plaintiff are invalid and the declaration that, the subsequent sale deed vide Ext.A in favour of the Defendant No.1 is valid are sustainable under law”?

4. Issue notice to the Respondents.
5. The learned counsel for the Appellants 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 on 29.06.2026.

(ANANDA CHANDRA BEHERA)
Judge

03.

I.A. No.803 of 2025

1. The Parties are directed to keep the suit properties, as it is in status quo without till next date.
2. List this I.A. on 29.06.2026 for objection and hearing.
3. Urgent certified copy of this order be granted to the Appellants on proper application.

(ANANDA CHANDRA BEHERA)
Judge