



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.307 of 2025

1) Lord Radha Krishna, **Appellants**
Dhenkanal

2) Bibhudhendra Baral

Represented By Adv. -
(mr. M.k.mishra), M/s
Tanmay Mishra

-versus-

1) Srikanta Rout **Respondents**

2) Pradeepta Kumar Rout@patana
3) Golekhabihari Baral

Represented By Adv. -

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
10.09.2025

Order No.

02. 1. This matter is taken up through hybrid mode.
2. Heard from the learned counsel for the Appellants.
3. Admit the Appeal on formulation of the following substantial questions of law i.e.:-

(i) Whether the priority of right for performance of Dola Melana Yata was created as per law in favour of the Appellants/Plaintiffs ?”

(ii) Whether the judgment and decree passed by the learned Trial Court and the learned 1st Appellate Court on the ground of non-filing of written statement by the



Respondents/defendants denying the averments made in the plaint, but, only through cross examination during trial is sustainable under law?

4. Issue notice the Respondents.
5. Registry is directed to call for the photo copies of the LCRs from the concerned District Judge.
5. The learned counsel for the Appellants is directed to file requisites for issuance of notices to the Respondents through Speed Post/Registered Post with A.D. within seven days.
6. List this matter on 11.11.2025.

(*ANANDA CHANDRA BEHERA*)
Judge

03. **I.A. No.837 of 2025**

1. This I.A. has been filed by the Petitioners under Order 39, Rule-1 and 2 read with Section 151 of C.P.C., 1908 praying for restraining the O.Ps/Defendants temporarily during the pendency of the 2nd appeal from observing Dola Melana Yatra over the case land.
2. Issue notice to the O.Ps.
3. List this I.A. on 11.11.2025 for objection and hearing.

(*ANANDA CHANDRA BEHERA*)
Judge