



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.170 of 2022

1) State Of Odisha

.....

Appellants

2) The Tahasildar, Barbil

Represented by Adv. -
Mr.S.R.Pattnaik, AGA

-versus-

Md. Alam and others

.....

Respondents

Represented by Adv. –

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA
ORDER
26.03.2026

Order No.

04.

I.A. No.776 of 2022

1. This matter is taken up through hybrid mode.
2. This I.A. vide I.A. No.776 of 2022 has been filed by the Petitioners is held to be infructuous due to payment of deficit Court fees in the meanwhile.
3. Therefore, the above I.A. filed by the Petitioners is disposed of finally.

(ANANDA CHANDRA BEHERA)
Judge

05.

I.A. No.461 of 2026

1. On the basis of the disposal of the I.A. vide I.A. No.776 of 2022, this I.A. is held to be infructuous and the same is disposed of finally.

(ANANDA CHANDRA BEHERA)
Judge



06.

RSA No.170 of 2022

1. Heard the 2nd appeal from the learned AGA for the Appellants on the point of admission.
2. 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.02 of 2021 refusing to condone the delay in preferring the 1st Appeal vide R.F.A. No.02 of 2021 is sustainable under law”?*
3. Issue notice to the Respondents.
4. The learned counsel for the Appellants is directed to file requisites within seven working days for issuance of notices to the Respondents through Speed Post.
5. Registry is directed to call for the photo copies of the LCRs of this 2nd appeal.
6. List this matter in the month of September, 2026.

(ANANDA CHANDRA BEHERA)

Judge

07.

I.A. No.778 of 2022

1. The operation of the impugned judgment and decree passed in the 1st Appeal vide R.F.A. No.02 of 2021 by the learned Addl. District Judge, Champua as well as the impugned judgment and decree passed in the suit vide T.S. No.73 of 2002 by the learned Civil Judge (Sr.Div.), Champua be stayed till next date.



2. List this I.A. in the month of September, 2026 for objection and hearing.
3. Urgent certified copy of this order be granted to the Appellants on proper application.

(ANANDA CHANDRA BEHERA)
Judge

Binayak