



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.436 of 2025

1) Purna Chandra Nayak

.....

Appellants

2) Ashalata Nayak

Represented by Adv. -
Debakanta Mohanty

-versus-

1) Rasmita Parida

.....

Respondents

2) Shantilata Rout

Represented by Adv. -

3) Jhili Jena

4) Swarnalata Rout

CORAM:

MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

03.02.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard from the learned counsel for the appellants on the point of admission.
3. This Appeal is admitted on formulation of the following substantial questions of law i.e.:-
- (i) Whether the impugned judgment and decree passed by the learned District Judge, Jajpur in R.F.A. No.20 of 2021 appreciating the provisions of law envisaged in Section 44 of the T.P. Act, 1882 wrongly/incorrectly?
- (ii) Whether the findings and observations made by the learned 1st Appellate Court in R.F.A. No.20 of 2021 that, the sale deeds vide Exts.A & B were not executed in respect of the joint and undivided dwelling house are sustainable under law?



4. Notices be issued to the respondents.
5. Learned counsel for the appellants is directed to file requisites for issuance of notices to the respondents through Speed Post with A.D. within seven working days positively.
6. Registry is directed to call for the photocopies of the LCRs from the learned Trial Court as well as from the learned 1st Appellate Court within a week positively for early disposal of the 2nd appeal.
7. List this matter on 23.03.2026.

(ANANDA CHANDRA BEHERA)
Judge

05.

I.A. No.1223 of 2025

1. The operation of the impugned judgment and decree passed in R.F.A. No.20 of 2021 by the learned District Judge, Jajpur be stayed till the next date.
2. List this I.A. on 23.03.2026 for objection and hearing.
3. Urgent certified copy of this order be granted to the parties on proper application.

(ANANDA CHANDRA BEHERA)
Judge