



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**MATA No. 339 of 2024**

**B. Suman Kumar**

....

**Appellant**

Represented by –

Mr. R.K. Pattanaik, Advocate

along with

Mrs. Madhusnata Routray, Advocate

-Versus-

**Srinimisha**

....

**Respondent**

Represented by –

Mr. Goutam Mukherji, Sr. Advocate

along with Mr. Abhishek Nair, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE MANASH RANJAN PATHAK**

**AND**

**HON'BLE MR. JUSTICE MRUGANKA SEKHAR SAHOO**

**ORDER**

**16.12.2025**

**Order No.**

*(Hybrid Mode)*

- 10.**      **1.** Pursuant to the order dated 20.11.2025, the appellant appears in person and files two affidavits in court.

In one of the said affidavits dated 16.12.2025 the appellant has stated about his illness without any supporting document to that effect, stating therein that from 30.07.2025 to 03.08.2025 he was suffering from high fever and was confined to his house and was unable to attend outdoor activities. The minimum that is expected that the appellant would have been advised to give the details of his ailment and treatment before this court to support his plea, when he failed to comply with the order. He is a party to the proceeding and his appearance was sought for by the Court. In



all fairness, the said affidavit should have been filed on the date of his non-appearance itself with an application for exempting his personal appearance.

2. The other affidavit discloses the following –

*“1. That I am the appellant in this affidavit.*

*2. That, in pursuance to order dated 01.08.2025 and 20.11.2025, I submit herewith 10 tolas (about 99.58 mg.) more fully described in the attached list of ornaments.*

*3. That, the facts stated above are true to the best of my knowledge and belief.”*

3. A list is attached to the affidavit giving the following details of the gold ornaments –

LIST OF GOLD ORNAMENTS

- |                          |             |
|--------------------------|-------------|
| 1. Gold Bangles – 4 nos. | 46.800 mg.  |
| 2. Gold Chain – 1 No.    | 19.440 mg.  |
| 3. Mangalsutra – 1 No.   | 28.170 mg.  |
| 4. Gold Coin – 11 nos.   | 5.57 mg.    |
| Total                    | – 99.58 mg. |

Though the said list is not part of the affidavit, it is supported by affidavit and signed by the appellant himself.

4. It is directed that the gold articles as per the list shall be kept in a sealed packet / cover in safe custody of the Registry of this Court, as would be decided and directed by the learned Registrar (Judicial). The gold ornaments shall be tested for their purity / percentage of gold, etc. by a Certified Valuer Goldsmith / Jewelry Shop and the report shall be placed in a sealed cover before this Court. The matter shall be placed before the Registrar (Judicial) to do the needful. The ornaments are kept in sealed



cover in presence of the learned counsels for the appellant and the Respondent and in presence of the appellant himself who has appeared in person.

5. Pursuant to our order dated 22.07.2025, the AEVP & Branch Head, Federal Bank Ltd., Balasore by letter dated 12<sup>th</sup> August, 2025 addressed to the Superintendent, First Appeal Section of the Registry of this Court , has intimated thus –

*“In reply to your above mentioned Court Order and Memo No’s, kindly note that Mr. B. Suman Kumar, S/o. Mr. B.S. Rao had availed multiple Gold Loans between 2016 and 2022 from Federal Bank Balasore Branch. All the Gold Loans availed has already been closed on different dates since long.*

*With the details available in the Order, we are unable to identify the Gold Loan in question and hence request the Honorable Court to provide us with more details like Gold Loan Account Number / Date of availing of loan/Loan amount etc. by which we can furnish the full loan/pledge of the gold before the Honorable Court.*

*Under the above circumstances your honor may please to send/provide details of gold loan in question and for which act of your kindness the bank can provide every details and obliged.”*

6. Apparently, the AEVP & Branch Head, Federal Bank Ltd. Balasore Branch, who has signed the letter, having gone through the order forwarded by the Registry of the Court, has carried an impression that this Court has the details of the gold loans availed by the appellant and the other details.

The AEVP & Branch Head, Federal Bank Ltd. Balasore Branch shall provide the entire list of gold loans taken by the appellant between the years 2016 to 2022, as referred in his letter. The particulars of the gold



loan, such as gold ornaments / gold pledged for securing those gold loans, description with weight, the date of availing the loan, the date of redemption of loan, the date of return of the pledged gold articles / ornaments to the loanee by the Bank, shall be furnished.

We further direct the AEVP & Branch Head, Federal Bank Ltd. Balasore Branch who shall verify the records maintained by the Bank and clarify on how many occasions the selfsame gold articles were pledged repeatedly to the Bank to obtain gold loan.

7. This order shall be communicated to the Bank by the Registry of the Court. The AEVP & Branch Head of the Federal Bank Ltd. Balasore Branch shall appear either himself in person or through his lawyer and shall apprise this Court on the next date of hearing of the appeal, i.e. on 17.02.2026.

8. Registry shall take steps for carrying out the required tests / verification / evaluation as well as the weight of the gold ornaments, as directed above.

9. In I.A. No. 532 of 2025, learned counsel for the appellant submits that she has to obtain instruction and to file affidavit / response by the next date.

List on 17.02.2026, marked at 2.00 PM.

Personal appearance of the appellant is dispensed with for the time being.

**(Manash Ranjan Pathak)**  
**Judge**

**(Mruganka Sekhar Sahoo)**  
**Judge**