



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.459 of 2025

Satyabadi Sadangi

.....

Appellant

Represented by Adv. -
Basudev Mishra

-versus-

State Of Odisha

.....

Respondent

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

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
23.03.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard the 2nd appeal from the learned Counsels of both the sides on the point of admission.
3. Admit the 2nd appeal on formulation of the following substantial questions of law i.e.:-
- (i) “When, there was finding of possession by the learned Trial Court in the judgment and decree passed in the suit vide C.S. No.57 of 2023 in favour of the Plaintiff/Appellant in respect of the suit properties, then, whether, the learned Trial Court had the power and jurisdiction to dismiss the entire suit of the Plaintiff refusing to pass the decree for declaration of title as well as the decree for injunction sought for by the Plaintiff?”
- (ii) “When, the learned Trial Court has given findings of possession in respect of the suit



properties in favour of the Plaintiff/Appellant and when, there was no cross objection under Order 41 Rule 22 of the C.P.C. or argument under Order 41 Rule 31 of the C.P.C. on behalf of the State against the findings of possession in respect of the suit properties by the learned Trial Court in favour of the plaintiff/appellant in its judgment and decree, then, whether the dismissal of the 1st Appeal vide R.F.A. No.07 of 2025 of the Appellant/Plaintiff by the learned 1st Appellate Court is sustainable under law? ”

(iii) “Whether, on the basis of the entry made in the yadast vide Ext.1 as well as his pleadings and evidence, the Plaintiff/Appellant was entitled to get the decree for declaration of title through adverse possession over the suit properties? ”

4. Registry is directed to call for the photo copies of the LCRs of this 2nd appeal.
5. List this matter in the Month of September, 2026.

(ANANDA CHANDRA BEHERA)
Judge

02.

I.A. No.374 of 2026

1. Both the Parties are directed to keep the suit properties as it is in status quo without changing the nature and character of the same and without creating any third party interest therein 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 Appellant on proper application.

(**ANANDA CHANDRA BEHERA**)
Judge

Binayak