



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**RSA No.611 of 2025**

***Gouranga Kar***

.....

***Appellant***

Represented by Adv. -  
Maheswar Mohanty

-versus-

***Ramesh Chandra Kar***

.....

***Respondent***

Represented by Adv. -

**CORAM:**

**MR. JUSTICE ANANDA CHANDRA BEHERA**

**ORDER**

**31.03.2026**

**Order No.**

05. 1. This matter is taken up through hybrid mode.
2. Heard the 2<sup>nd</sup> appeal from the learned Counsel for the Appellant on the point of admission.
3. Admit the 2<sup>nd</sup> appeal on formulation of the following substantial question of law i.e.:-
- (i) *“Whether, the learned Trial Court as well as the learned 1<sup>st</sup> Appellate Court both had power and jurisdiction to ignore the uncontroverted/unassailed pleadings and evidence of the Plaintiff and her witnesses in the suit vide C.S. No.539 of 2017 in their respective judgments and decrees in dismissing the suit of the Plaintiff vide C.S. No.539 of 2017 and whether, the judgment and decree passed by the learned Trial Court without framing any issue inconformity with the provisions of law envisaged under Order 14 Rule 1 of the C.P.C. and the*



*confirmation of the same by the learned 1<sup>st</sup> Appellate Court are sustainable under law ?”*

4. Issue notice to the Respondent.
5. The learned counsel for the Appellant is directed to file requisites within seven working days for issuance of notice to the Respondent through Speed Post.
6. Registry is directed to call for the photo copies of the LCRs of this 2<sup>nd</sup> appeal.
7. List this matter in the Month of September, 2026.

**( ANANDA CHANDRA BEHERA )**  
**Judge**

06.

**I.A. No.1376 of 2025**

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