



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.567 of 2025

Premananda Das

.....

Appellant

Represented by Adv. -
Niranjan Prasad Patra

-versus-

1) Namita Das

.....

Respondents

- 2) Nishamani Das
3) Annapurna Das
4) Pranta Rasmi Das
5) Sarat Mallick

Represented by Adv. -

CORAM:

MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

31.03.2026

Order No.

02. 1. This matter is taken up through hybrid mode.
2. Heard the 2nd appeal from the learned Counsel for the Appellant on the point of admission.
3. Admit the 2nd appeal on formulation of the following substantial question of law i.e.:-
- (i) *“Whether, as per Section 6 of the Amended Act, 2005 of the Hindu Succession Act, 1956, the Plaintiff in the suit vide C.S. No.118 of 2003 has locus standi to challenge the alienation made by his father in respect of the ancestral properties through R.S.D. vide Exts.2 and 3 prior to 20.12.2004 by filing the suit vide C.S. No.118 of 2003 and whether, the judgment and decree passed by the learned 1st Appellate Court in R.F.A. No.61 of 2016 reversing the judgment and*



decree of the dismissal of the suit vide C.S. No.118 of 2003 on the ground that, Section 6 of the Amended Act, 2005 of the Hindu Succession Act, 1956 has retrospective effect, then in spite of the proviso of the said Section 6 of the Act, saving the alienation made prior to 20.12.2004, the judgment and decree passed by the learned 1st Appellate Court in R.F.A. No.61 of 2016 is sustainable under law?"

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

(ANANDA CHANDRA BEHERA)
Judge

Binayak