



IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No.403 of 2023

***Gopa@gopabandhu Patra and
Others***

.....

Appellants

Represented by Adv. -
Sukanta Kumar
Nayak

-versus-

***Tarini Prasad Mohanty and
others***

.....

Respondents

Represented by Adv. –

CORAM:

MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

19.03.2026

Order No.

10. 1. This matter is taken up through hybrid mode.
2. Heard the 2nd appeal from the learned Counsel for the Appellants.
3. Admit the 2nd appeal on formulation of the following substantial questions of law i.e.:-
 - (i) “Whether, the judgments and decrees passed by the learned Trial Court as well as the learned 1st Appellate Court for permanent injunction in favour of the Plaintiffs and against the Defendants in respect of the suit properties is to be nullified/reversed on the basis of the admission of the Plaintiffs to the possession of the Defendants through issuance of notice vide Ext.7 accepting his possession over the suit properties?”
 - (ii) “Whether, the judgments and decrees passed by the learned Trial Court as well as the learned



1st Appellate Court in favour of the Plaintiffs are sustainable under law, when the Plaintiffs have not been able to establish the basis of their title over the suit properties?”

4. Issue notice to the Respondents.
5. The learned counsel for the Appellants 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 on 08.09.2026.

(**ANANDA CHANDRA BEHERA**)
Judge

11.

I.A. No.1107 of 2025

1. When, the 2nd appeal vide R.S.A. No.403 of 2023 arising out of the judgment and decree passed in the suit vide C.S. No.07 of 2016 has already been admitted, for which, the further proceedings of Execution Case No.07 of 2017 arising out of the judgment and decree passed in the suit vide C.S. No.07 of 2016 is stayed till next date.
2. List this I.A. on 08.09.2026 for objection and hearing.
3. Urgent certified copy of this order be granted to the Appellants on proper application.

Signature Not Verified

Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 23-Mar-2026 11:09:16



Binayak

(**ANANDA CHANDRA BEHERA**)
Judge