



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.556 of 2025

Premalata Barik

.....

Appellant

Represented by Adv. -
Soumya Mishra

-versus-

Binodini Barik

.....

Respondent

Represented by Adv. -

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
24.02.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard the 2nd appeal from the learned counsel of for the Appellant on the point of admission.
3. Admit the 2nd appeal on formulation of the following substantial questions of law i.e.:-
- (i) “Whether, the concurrent findings and observations made by the learned Trial Court as well as learned 1st Appellate court placing onus on the Defendant than the Plaintiff to discharge the burden regarding the delineation of genealogy given by the Plaintiff is sustainable under law”?
- (ii) “Whether, death certificate vide Ext.2 issued by the Birth and Death Registering Authority, 57 years after the death of the deceased on the basis of the statement of the Plaintiff is admissible under law and the findings and observations given by the learned Trial Court as well as learned 1st



Appellate Court accepting the contents of the Ext.2 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 2nd appeal.
7. List this matter on 07.07.2026.

(ANANDA CHANDRA BEHERA)
Judge

03.

I.A. No.340 of 2026

1. The proceeding of the final decree in the suit vide C.S. No.14 of 2014 (F.D.) pending in the Court of the learned Civil Judge (Sr.Division), Bhawanipatna shall continue in its all respect except sealing and signing.
2. List this I.A. on 07.07.2026 for objection and hearing.
3. Urgent certified copy of this order be granted to the Appellant on proper application.

(ANANDA CHANDRA BEHERA)
Judge

Binayak