



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**RSA No.576 of 2025**

***Mataji Jena***

.....

***Appellant***

Represented by Adv. -  
Sourav Suman Bhuyan

-versus-

***Suresh Kumar Gorisoria and  
others***

.....

***Respondents***

Represented by Adv. –  
Mr.S.Nayak, ASC

**CORAM:**  
**MR. JUSTICE ANANDA CHANDRA BEHERA**

**ORDER**  
**19.01.2026**

**Order No.**

01. 1. This matter is taken up through hybrid mode.
2. Heard the 2<sup>nd</sup> appeal on the point of admission.
3. Admit the 2<sup>nd</sup> appeal on formulation of following substantial questions of law i.e.:-
- (i) “*Whether, the judgment and decree passed by the learned 1<sup>st</sup> Appellate Court in the 1<sup>st</sup> Appeal vide R.F.A. No.47 of 2022 is not inconformity with the provisions of law under Order 41 Rule 31 of the C.P.C. due to non-formulation of any point for determination for deciding the 1<sup>st</sup> Appeal vide R.F.A. No.47 of 2022?*”
- (ii) “*Whether, when the learned Trial Court as well as the learned 1st Appellate Court both have held that, the registered agreement vide Ext.3 was executed by the Defendant Nos.1 and 2 in respect*



*of the suit properties in favour of the Plaintiff, then, whether it was the duty of the learned Trial and the learned 1<sup>st</sup> Appellate Court to pass the decree for specific performance of contract in favour of the Plaintiff directing the Defendants for execution and registration of the sale deed in favour of the Plaintiff with specific direction?”*

*(iii) “Whether, the Defendant Nos.3 and 4 (Respondent Nos.3 and 4) are the bona fide purchasers for value in respect of the suit property without any knowledge about the agreement for sale vide Ext.3 executed by the Defendant Nos.1 and 2 in favour of the Plaintiff for defeating the prayers of the Plaintiff made in the suit vide T.S. No.337 of 1996?”*

4. Registry is directed to call for the LCRs of the 2<sup>nd</sup> appeal.
5. Issue notices to the Respondents.
6. The learned counsel for the Appellant is directed to file requisites for issuance of notices to the Respondents through Speed Post with A.D. within seven days.
7. List this matter on 20.03.2026.

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

02.

**I.A. No.1531 of 2025**

1. The operation of the judgments and decrees passed in the suit vide T.S. No.337 of 1996 as well as



the 1<sup>st</sup> Appeal vide R.F.A. No.47 of 2022 be stayed till next date.

2. List this I.A. on 20.03.2026 for objection and hearing.

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

**Binayak**