



IN THE HIGH COURT OF ORISSA AT CUTTACK
D-RSA No.48237 of 2025

Chhanakya Palia

.....

Appellant

Represented by Adv. -
Suryasnata Mohapatra

S.Bhuyan

-versus-

Dasami Danga

.....

Respondent

Represented by Adv. –
Mr.S.Nayak, ASC

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
20.03.2026

Order No.

03.

I.A. No.198 of 2026

1. This matter is taken up through hybrid mode.
2. This I.A. has been filed by the Petitioner praying for acceptance of the subsequent decree passed by the learned District Judge, Boudh in R.F.A. No.12 of 2024 in computation of the Court fees.
3. It is very fundamental in law that, whenever there are two decrees, the first decree shall merge automatically with the subsequent decree and the subsequent decree will govern the field.
4. When, in the subsequent decree, it has been clarified that, the suit was for partition simplicitor and the learned Trial Court had accepted the same, then at this juncture, there is no justification under law to



disallow this I.A. filed by the Petitioner on the basis of the 2nd decree in the 1st Appeal.

5. Therefore, the I.A. filed by the Petitioner is disposed of accepting the 2nd decree passed in the 1st Appeal vide R.F.A. No.12 of 2024.

6. As such, the I.A. filed by the Petitioner is disposed of.

7. Registry is directed to make further S.R. on the basis of the observations made in this I.A.

(**ANANDA CHANDRA BEHERA**)
Judge

Binayak

Signature Not Verified

Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 23-Mar-2026 11:15:51

