



IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No. 463 of 2024

***Tikeswari Mahapatra and
Others***

....

Appellants

*Represented by
Mr. S.K. Padhy, Advocate*

-Versus -

Sushma Dash and Others

....

Respondents

*Represented by
Mr. A. Bose, Advocate*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.03.2025

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard Mr. S.K. Padhy, learned counsel for the appellants. Perused the impugned judgments.
3. Considering the submissions and the grounds raised, the second appeal is admitted on the following substantial questions of law:-

i. Whether Sec-91 of Indian Evidence Act-1872 is applicable in the facts and circumstances of the present case more particularly when there is contradictory evidence emerge during the proceeding from the pleading of the parties?

ii. Whether ld. Court below have properly interpreted and constructed the Ext-1 according to the law or the Ld. Court below while recording the finding on ext-4 have misdirected themselves not assessing and analyzing the said document in its true sense?



4. No notice need be issued to respondent No.2 as he has already entered appearance through Caveat.
5. Issue notice to the other respondents by registered post with A.D. making it returnable within four weeks. Requisites be filed within three working days.
6. Call for the LCR.
7. List this matter after summer vacation.

(Sashikanta Mishra)
Judge

BC. Tudu

Signature Not Verified

Digitally Signed
Signed by: BHIGAL CHANDRA TUDU
Reason: Authentication
Location: orissa High Court, Cuttack
Date: 05-Mar-2025 20:39:12

