



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**RSA No.640 of 2025**

**1) Bharatibala Bisoyi** ..... **Appellants**  
2) Pramod Kumar Mohanty Represented by Adv. -  
3) Prafulla Mohanty Budhiram Das

-versus-

**Shantilata Swain** ..... **Respondent**  
Represented by Adv. –  
Millan Kanungo,  
Sr.Advocate.Dillip Kumar  
Pradhan, Sk.meherulla  
(caveator)

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

**ORDER**  
**02.02.2026**

**Order No.**

04. 1. This matter is taken up through hybrid mode.
2. Heard from the learned counsel for the appellants and learned senior counsel for the caveator (sole respondent) on the point of admission.
3. This Appeal is admitted on formulation of the following substantial questions of law i.e.:-
- (i) Whether the suit vide C.S. No.273 of 2020-I filed by the plaintiff (respondent) was barred by limitation, as there was a prayer for declaration of the sale deed vide Ext.K void on the ground of fraud 19 years after its execution?
- (ii) When, there are discrepancies between the contents of the original sale deed vide Ext.K and the certified copy of the volume thereof vide Ext.2 obtained from



the Sub-Registrar's Office, which will be acceptable under law?

(iii) If it is established that, the document vide Ext.K has been executed by practicing fraud, whether the said Ext.K has any legal value?

(iv) When, the contents of the sale deed vide Ext.K said to have been executed by the plaintiff in favour of the defendant No.1 are clear and unambiguous, then, whether evidence under Section 92 of the Indian Evidence Act, 1872 is permissible/admissible contrary to the same?

4. Registry is directed to call for the photocopies of the LCRs from the learned Trial Court as well as from the learned 1<sup>st</sup> Appellate Court within a week positively for early disposal of the 2<sup>nd</sup> appeal.

5. List this matter on 27.02.2026.

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

05.

**I.A. No.1744 of 2025**

1. Both the parties are directed not to change the nature and character of the suit properties and to keep the same as it is in status quo till the final disposal of the RSA No.640 of 2025.

2. As such, this I.A. is disposed of finally.



3. Urgent certified copy of this order be granted to the parties on proper application.

**(ANANDA CHANDRA BEHERA)**

***Judge***

*Utkalika*