

IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No.16 of 2020

Gopal Das

....

Appellant

Ms. Mamata Mishra, Advocate

-versus-

***Musa Das @ Brundaban Das and
Others***

....

Respondents

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

05.01.2022

Order No.

- 02.
1. Heard Ms. M. Mishra, learned counsel for the Appellant.
 2. The Plaintiff is the Appellant. It was a suit for partition. The crux of the issues depends on the death certificate of the father of the Plaintiff which was granted in the year 2010 mentioning the date of death of the father in the year 1967. The Sale Deed under Ext.A is of the year 1968. The learned trial court ignored the provisions contained in Section 90 of the Evidence Act and decreed the suit in favour of the plaintiff, which was rightly reversed by the 1st Appellate Court.
 3. No substantial question or merit is seen in favour of the Plaintiff to admit the appeal.
 4. The appeal is dismissed.
 5. An urgent certified copy of this order be issued as per rules.

**(B.P. Routray)
Judge**