

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.423 of 2015

***Purnabasi Sahoo (since dead) through
LRs and another*** ***Appellants***

Mr. A.N. Swain, Advocate

-versus-

Sambit Kumar Sahoo ***Respondent***

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
18.07.2022**

Order No.

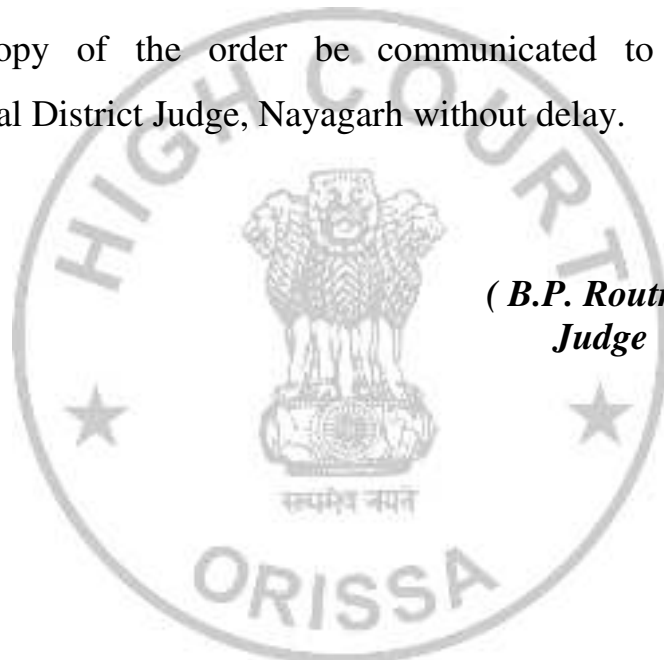
12.

1. In view of the Office report dated 23.6.2022, notice on the sole Respondent is treated sufficient.
2. Heard Mr. A.N. Swain, learned counsel for the Appellants.
3. Present appeal by the Defendant is against the order dated 28.03.2014 passed by the learned Additional District Judge, Nayagarh in I.A. No.1 of 2013 arising out of R.F.A. No.41/13 of 2/10. The learned first appellate court in the impugned order has directed not to alienate the suit land by the Defendant (present Appellant) pending the appeal.
4. Since the subject matter of the suit is the registered sale deed executed in respect of the suit land, therefore no illegality is seen in the present impugned order of the learned first appellate court.

5. Accordingly, no substantial question is found in favour of the Appellants to admit the appeal. The Appeal is dismissed.

6. However, it is submitted by learned counsel for the Appellants that the appeal is still pending adjudication before the learned first appellate court since the year 2013. The learned Additional District Judge, Nayagarh is directed to dispose of the appeal within a period of three months from the date of receipt of certified copy of this order.

7. A copy of the order be communicated to the learned Additional District Judge, Nayagarh without delay.



(B.P. Routray)
Judge