

IN THE HIGH COURT OF ORISSA AT CUTTACK

RSA No.44 of 2020

Nargis Nissa Bibi and another ***Appellants***

Mr. G. Rout, Advocate

-versus-

Manwar Ali Khan and others ***Respondents***

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

03.01.2022

Order No.

02.

1. Heard Mr. G. Rout, learned counsel for the Appellants.
2. The unsuccessful Plaintiffs are the Appellants before this Court. The suit was for declaration of the sale deed of the year 1975 as invalid on the ground of fraud and collusion.
3. The parties are the descendants of Gulzar Khan through two wives. The law is settled that in case of fraud, the entire burden is on the party who claims fraud. Considering the nature of evidence adduced on record and the grounds taken to allege fraud, no substantial point is found in favour of the Appellants to admit the appeal.
4. Accordingly, the appeal is dismissed.

(B.P. Routray)
Judge