

**HEADING OF DECISION IN CIVIL SUITS
IN THE COURT OF 1st ADDL.SENIOR CIVIL JUDGE, BHUBANESWAR**

***Present :- Pranab Kumar Routray, LL.M,
1st Addl. Senior Civil Judge,
Bhubaneswar***

C.S. No.2020/2010

Sanjukta Dalai @ Jena, aged about 45 years,
Daughter of Late Padmanava Jena and wife of
Sri Prasanna Kumar Dalai of Village:Sasol,
P.O.: Fulnakhara, P.S.Cuttack Sadar,
Dist.Cuttack-754001.

... **Plaintiff**

-Versus-

1. Sunakar Jena, aged about 55 years,
S/o. Late Padma Charan @ Padmanava Jena,
Vill.Atala, P.O.Jayapur, P.S.Balianta,
District Khurda.
2. Manjukta Sahoo @ Jena, aged about 41 years,
W/o. Suresh Sahoo, At Purunakorkora,
P.O.Brahmanda, P.S.Cuttack Sadar,
District Cuttack – 754003.
3. Madhusudan Jena, aged about 72 years,
S/o. Late Balakrushna Jena,
Vill.Atala, P.O.Jayapur, P.S.Balianta,
District Khurda.
4. Renubala Jena, aged about 36 years,
D/o. Late Jadumani Jena and
W/o. Sri Biranchi Jena, At Aredi, P.O.Lendu,
P.S.Nirakarpur, Dist.Khurda.
5. Sudhakar Jena, aged about 34 years,
6. Gadadhar Jena, aged about 33 years,
7. Baikuntha nath Jena, aged about 32 years,
8. Dilip Kumar Jena, aged about 31 years,
9. Reena Jena, aged about 28 years,
10. Pramila Jena, aged about 65 years,

Defendant nos.5 to 8 are the sons, defendant nos.9 and 10 are respectively the daughter and widow of Late Jadumani Jena and are of Village: Atala, P.O.: Jayapur, P.S: Baliana, District: Khurda.

11. Gitanjali Nayak @ Jena, aged about 26 years, D/o. Late Jadumani Jena and W/o. Bichitra Kumar Nayak, At Koradakanta, P.O.Jharpada, Bhubaneswar, Dist.Khurda.
12. Bibekananda Das, aged about 45 years, S/o. Late Lingaraj Das, Vill.Atala, P.O.Jayapur, P.S.Baliana, District Khurda.
13. Ullas Routray, aged about 75 years,
14. Umesh Routray, aged about 72 years,

Both are sons of Late Sudarshan Routray, At/P.O.Jayapur. P.S.Baliana, Dist.Khurda.

15. Kuna Routray, aged about 73 years,
16. Ali Routray, aged about 65 years,
17. Ami Routray, aged about 60 years,
18. Bulu Routray, aged about 57 years,

Defendant nos.15 to 18 are the sons of Late Narendra Routray, At/P.O.Jayapur, P.S.Baliana, Dist.Khurda.

19. M/S Omm Estcon Pvt. Ltd.
Plot No.88/16, Acharya Vihar, Bhubaneswar, District Khurda, represented through its Managing Director namely Sri Rashmi Ranjan Beura, aged about 34 years, Son of Bhabagrahi Beura, Village & P.O.Dumuka, P.S.Patkura, District Kendrapara.
20. Citicon Engineers Orissa Pvt. Ltd., Plot No.540, Sahid Nagar, P.O. & P.S.: Sahid Nagar, Bhubaneswar, Dist.Khurda, represented through its Chairman-cum-Managing Director namely Antaryami Badu, aged about 34 years, Son of Baishnab Charan Badu, resident of the same plot.

... **Defendants**

COUNSEL APPEARED

For Plaintiff : Sri Sushanta Kumar Dash and associates
For Defendant
nos.1 and 3 : J. Raheman and associates
nos.5 to 11 : Sri Ullas Pattnaik and associates
no.19 : Sri Pramod Kumar Pattnaik
nos.2, 4, 12 to 18 & 20 : Ex parte

Date Of Conclusion Of Argument : **30-03-2015**

Date Of Judgment : **31-03-2015**

J U D G M E N T

This is a suit for partition.

2. The case of the plaintiff in brief is that she and defendant no.2 are the married daughters and defendant no.1 is son of deceased Padma Charan @ Padmanav Jena. Out of the properties described in Lot nos.1 to 10 in the schedule of plaint forming the hotchpotch hereinafter referred to as suit property, the property under Lot nos.1, 7 and 8 not only stood recorded in the name of Padmanav Jena but also exclusively enjoyed by him. Padmanav Jena being one of the co-sharers continued to have unity of title and possession in respect of most of the rest lot of properties. The property described under Lot no.2 stands recorded in the name of deceased Padmanav Jena and deceased Jadumani, the predecessor-in-interest of defendant nos.4 to 11. Property covered under Lot no.5 stands recorded in the name of

defendant no.1 as the representative branch of deceased Padmanav Jena alongwith deceased Jadumani. Lot nos.3, 9 and 10 stand recorded in the name of deceased Padma Jena, deceased Jadumani and defendant no.3. Lot no.4 stands recorded in the name of respective predecessors-in-interest of defendant nos.12 to 19 alongwith mother of plaintiff and defendant nos.1 & 2. The property under Lot no.6 stood recorded in the name of deceased mother of plaintiff and defendant nos.1 & 2 alongwith defendant no.10 but effecting the change in the Kissam, it has been recorded in the defendant no.1 representing the branch of deceased Padma Jena alongwith defendant no.10. Likewise, the Kissam of plot nos.196 and 197 under khata no.186 (which is portion of Lot no.1) has been changed and those two plots are recorded under a separate khata in the name of defendant no.1 representing the branch of Padma Charan.

3. It is further case of the plaintiff that defendant no.1 used to look after the property for and on behalf of his married sisters i.e. plaintiff and defendant no.2 but recently plaintiff came to know that defendant no.1 in a surreptitious manner has executed an irrevocable General Power of Attorney on 21-04-2008 authorising defendant no.19 to almost act as owner of plot nos.196 and 197 under Khata no.186 in Mouza Atala by professing that he is the sole legal heir of deceased Padma Jena and parted with possession of those two plots in favour of the so called Attorney who has got the kissam of the land changed to homestead. The said General Power of Attorney is void and inoperative in the eye of law. It is further

pleaded that defendant no.1 taking advantage of the fact that properties described under Lot no.6 stood recorded in the name of deceased mother of plaintiff and defendant nos.1 & 2 alongwith defendant no.10 and that defendant no.10 is an illiterate and pardanashin woman, he managed to create a fraudulent sale deed on dtd. 01-02-2010 in favour of defendant no.20 even though their mother Taramani Jena had breathed her last on 08-10-2007 and therefore the said sale deed is void and is an inconsequential document. On this point, it is further pleaded that transfer of undivided interest of defendant no.10 was also not permissible so as to create a fragmentation and as such void by all means. Since defendant no.1 intended to create further encumbrances, it was objected by plaintiff and dissension arose between them. Defendant no.1 expressed his unwillingness to part with any item of the joint family property and refused the request of plaintiff for an amicable partition. Defendant no.19 having no right and being a stranger to the family has tried to enter upon the homestead plot nos.196 and 197 in khata no.186 in Mouza Atala and has started sand filling over the same. Defendant no.20 having no right and being a stranger has intruded upon the building/dwelling house standing over plot no.645 under khata no.121 in Mouza Saleswar, under Lot no.10 excepting the other dwelling house over plot no.187 described under Lot no.2. Hence, the plaintiff has filed this suit praying for partition carving out her legitimate share in the suit properties.

4. Defendant nos.1 and 3 filed a joint written statement challenging the suit on its maintainability, cause of action, non-joinder of necessary parties and locus standi of the plaintiff to file the suit as she is given marriage in the year 1986 with all dowry including gold ornaments to the tune of Rs.3,00,000/- out of joint family income which was more than her share. It is averred that the defendants had borrowed money to meet marriage expenditure of the plaintiff and when they could not repay, he executed one Power of Attorney in favour of defendant no.19 to deal with the property in plot nos.196 and 197 under khata no.186. It was decided that since the plaintiff was taking dowry, she would not claim from the paternal property in future, and, hence, defendant no.1 has transferred some properties within the knowledge of plaintiff without any objection but has filed this case on the instigation of some local touts. So far as the averments as regards to Lot no.6 property, it is their stand that Lot no.6 property stood recorded exclusively in the name of Taramani, mother of plaintiff as well as defendant no.1 and during her life time Taramani had transferred the property for her legal necessity and gave delivery of possession to the purchasers. Plot nos.196 and 197 were agricultural land and were never homestead as per R.O.R but defendant no.19 has converted the same to homestead status. Defendant nos.19 and 20 who are property developers have acquired vast land at Mouza Atala and Saleswar including plot nos.196, 197 and 685 which they have converted and transferred to different persons who are possessing by constructing house over the same. It is further averred that

property under Lot no.9 has already been sold much prior to filing of this suit. Similarly Jadumani has sold his 1/3rd share out of the joint family property but the purchasers are not made party in the suit. With the aforesaid pleadings it is prayed for dismissal of the suit.

5. Defendant nos.5 to 11 have filed a joint written statement and averred that defendant no.1 used to look after the suit property for himself and on behalf of his married sisters but out of greed he has sold plot nos.197 and 196 under khata no.186 in Mouza Atala through an irrevocable General Power of Attorney dtd.21-04-2008 declaring himself as the only legal heir of Padmanav Jena. Defendant no.1 has also created a fraudulent sale deed dtd.01-02-2010 in favour of defendant no.20 by impersonating Taramani Jena who breathed her last much prior to execution of the sale deed. It is claimed that all of them alongwith defendant no.4 are entitled to their respective shares in properties described in Lot no.2.

6. Defendant no.19 filed a separate written statement and challenged the suit on its maintainability, cause of action and non-joinder of necessary and proper parties as the property under Lot no.1 has already been sold to many persons and also refuted the allegations of the plaintiff. It is claimed that there was partition among the legal heirs of late Padmanav Jena and as per earlier partition the defendant no.1 while in possession over lot no.1 property executed and registered a General Power of Attorney in his favour on 21-04-2008 within the knowledge of other legal heirs of late Padmanav and Jadumani and therefore the Power of

Attorney is not a void document. This contesting defendant also claims that execution of sale deed by defendant no.1 in respect of property described under lot no.6 was within the knowledge of other legal heirs of late Padma Charan Jena and therefore plaintiff has no locus standi to file the present suit. It is also claimed that this defendant has no knowledge whether plaintiff and defendant nos.1 and 2 are legal heirs of late Padmanav Jena. It is further claimed that he has all right to enter upon the plot nos.196 and 197 under khata no.186 in Mouza Atala under lot no.1 of the plaint schedule and to start sand filling over the same. He while in possession over the said property made out a plotted scheme and executed several deeds in favour of several persons and the purchasers have mutated their names and Mutation R.O.R have been prepared in their names which fact is well within the knowledge of plaintiff but suppressing all these facts she has filed this suit with malafide intention to harass the bonafide purchasers. In view of the pleadings the suit be dismissed with cost.

7. Defendant nos.2, 4, 12 to 18 & 20 have been set ex parte.

8. With the aforesaid pleadings on record, the following issues have been settled :

ISSUES

- 1) Whether the suit is maintainable ?
- 2) Whether there is cause of action to bring the suit ?
- 3) Whether the properties under lot nos.1 to 10 are liable for partition ? If so, what is the share of respective parties ?

- 4) Whether Power of Attorney executed by defendant no.1 in favour of defendant no.19 to deal with property in respect of Plot nos.196 and 197 under Khata no.186 in Mouza Atala under Lot no.1 is void ?
- 5) Whether sale deed executed by mother of plaintiff, defendant nos.1 & 2 and defendant no.10 in respect of Plot no.645, Chaka no.232 under Khata no.121, area 0.20 decimals in Mouza Saleswar in favour of defendant no.20 is legal and valid ?
- 6) To what other relief(s) the plaintiff is entitled ?

9. Plaintiff has examined herself as sole witness as P.W.1 and marked documents vide Exts.1 to 15, list of which is appended at the foot of judgment. Defendant no.1 examined himself as D.W.1 and defendant no.3 is examined as D.W.2. Defendant no.19 examined himself as D.W.3 who produced and proved documents vide Exts.A to L/9.

With the aforesaid evidence on record the issues as framed are to be answered.

FINDINGS

Issue nos.3, 4 & 5

10. Considering the nature of the suit and relief prayed for these three issues are taken up together for convenience. There is no dispute in the relationship between the parties and unity of title and possession of the properties. The properties covered under Lot nos.1, 7 and 8 are exclusively recorded in the name of Padma Charan Jena, predecessor-in-interest of plaintiff, defendant nos.1 and 2. Consolidation R.O.R in respect of the said properties are marked as Exts.1, 9 and 10. Evidence on record reveals that mother of plaintiff,

defendant nos.1 and 2 namely Taramani died in the year 2007. Therefore, the property under Lot nos.1, 7 and 8 being the ancestral property of plaintiff, defendant nos.1 and 2 is to be partitioned among them. During course of argument, learned counsel for defendant nos.1 and 3 contended that the suit is filed in the year 2010 whereas Padma Charan died in 2003 i.e. prior to amendment of Section 6 of Hindu Succession Act and therefore there should be notional partition of the property of Padma Charan. On this point a land mark decision of Hon'ble High Court of Orissa reported in 2014 (1) CLR 1214 between Subash Chandra Panigrahi-Vs.-Rajiv Lochan Panigrahi and others may be pressed into service wherein Hon'ble High Court referring some decisions of Hon'ble Apex Court and analysing Section 6 of the said Act have held that “ the amend provision has got its retrospective operation. Though right of the daughter was declared on 09-09-2005, such right as coparcener enures to her by birth. It is further held that substituted provision of Section 6 as brought in by amendment act is held to be retrospective in operation as otherwise it would be without object. ” Hence, in view of said decision, the plaintiff, defendant nos.1 & 2 each are equally entitled for 1/3rd share over Lot nos.1, 7 and 8 property.

11. The only dispute raised by the plaintiff is that defendant no.1 showing himself as the sole legal owner of the property in respect of Plot nos.196 and 197 under Khata no.186 in Mouza Atala has executed Power of Attorney on 21-04-2008 in favour of defendant no.19 and parted with possession of those two plots in favour of said Attorney and it is claimed that the

said irrevocable General Power of Attorney is void and inoperative in the eye of law. On the other hand, it is pleaded by defendant no.19 that the Power of Attorney has been executed within the knowledge of other legal heirs of Padmanav. He has also executed several sale deeds in favour of several purchasers in respect of the said land and this fact is well within the knowledge of plaintiff. On this point, it may be said that admittedly defendant no.1 is a co-sharer who executed the Power of Attorney. So, the Power of Attorney has not been executed by a fictitious person. This apart, the Power of Attorney is a document inter se between him and defendant no.19 thereby the right of plaintiff is not affected. The only problem is that defendant no.1 has executed the Power of Attorney in respect of the property beyond his capacity of 1/3rd interest over the said property. In view of the matter Power of Attorney executed by defendant no.1 cannot be held to be void. Plaintiff has neither pleaded nor adduced evidence anything about the sale made by defendant no.1. But during trial, it came to light that defendant no.1 has executed sale deeds through defendant no.19 in favour of several purchasers in respect of the entire two plots. On this point law is well settled in view of decision of our Hon'ble High Court and Apex Court of the land that the sale of undivided share is always valid but the sale is valid upto the bonafide share of the vendor. In this regard reliance can be placed in the matter of Ramdas-Vs.-Sita Bai and others, 2009 (II) CLR SC 244 and in the matter of Bharat Lal Pandey-Vs.-Ramji Prasad Yadav reported in 2009 Volume II CLR SC 752. Hence, the property sold by

defendant no.1 being valid upto his interest, the rest will be adjusted to his share at the time of final decree.

12. Property covered under Lot no.2 stands recorded in the name of Padma Charan and Jadumani as reveals from the R.O.R issued by consolidation authority vide Ext.3. But Lot no.5 property is recorded in the name of Sunakar (defendant no.1) representing the branch of Padma Charan and Jadumani. R.O.R of the said property is marked as Ext.5. There is no dispute that the property belonged to Padma Charan and Jadumani (predecessor-in-interest of defendant nos.4 to 11). Hence, defendants nos.4 to 11 are jointly entitled to half share thereby each of the said defendants are entitled to $1/16^{\text{th}}$ share over the property covered under Lot nos.2 and 5 whereas plaintiff, defendant nos.1 and 2 are jointly entitled for half share thereby the plaintiff, defendant nos.1 and 2 each are entitled to $1/6^{\text{th}}$ share in the property under Lot nos.2 and 5.

13. So far as property covered under Lot nos.3, 9 and 10 there is no dispute that the said properties are of Padma Charan, Madhusudan and Jadumani. Exts.4, 11 and 12 are the R.O.Rs. in respect of the properties issued by consolidation authority. Hence, Madhusudan defendant no.3 alone is entitled to $1/3^{\text{rd}}$ share over the said property. The branch of Padma Charan i.e. plaintiff, defendant nos.1 and 2 are jointly entitled to $1/3^{\text{rd}}$ share thereby each of them are entitled to $1/9^{\text{th}}$ share. The branch of Jadumani i.e. defendant nos.4 to 11 jointly entitled for $1/3^{\text{rd}}$ share thereby each of them are entitled for $1/24^{\text{th}}$ share in the said properties.

14. So far as property covered under Lot no.4 is concerned, it is recorded in the name of respective predecessor-in-interest of defendant nos.12 to 18. Consolidation R.O.R in respect of property vide Ext.5 discloses that the property is recorded in the name of Lingaraj Das (predecessor-in-interest of defendant no.12), Sudarsan Routray (predecessor-in-interest of defendant nos.13 and 14) and Narendra Kumar Routray (predecessor-in-interest of defendant nos.15 to 18). Hence, defendant no.12 is alone entitled to $1/3^{\text{rd}}$ share over the property covered in Lot no.5, similarly defendant nos.13 and 14 are jointly entitled for $1/3^{\text{rd}}$ share thereby each of them are entitled to $1/6^{\text{th}}$ share and defendant nos.15 to 18 are jointly entitled for $1/3^{\text{rd}}$ share thereby each of them are entitled to $1/12^{\text{th}}$ share over the said property.

15. So far as property covered under Lot no.6 is concerned, consolidation R.O.R vide Ext.7 reveals that it is recorded in the name of Taramani Jena (mother of plaintiff, defendant nos.1 and 2) and Pramila Jena (defendant no.10). Hence, plaintiff, defendant nos.1 and 2 being the successor of Taramani are jointly entitled to half share thereby each of them are entitled to $1/6^{\text{th}}$ share and defendant no.10 alone is entitled to half share.

16. It is claimed by the plaintiff that entire property of Ac.0.20 decimals covered under Lot no.6 have been sold away. It is further claimed that in collusion with mischief mongers and property grabbers, defendant no.1 has managed to create a fraudulent sale deed in favour of defendant no.20. But her mother Taramani has breathed her last on 08-10-2007 that is

prior to execution and registration of the sale deed through her so called Attorney and therefore the sale deed dtd.01-02-2010 made in respect of property under Lot no.6 is void and is inconsequential document. It is further claimed that transfer of undivided interest of defendant no.10 is also not permissible so as to create fragmentation and as such sale is void by all means. On this point, on careful perusal of evidence on record it is found that D.W.1 has admitted in para 17 of his cross-examination that his mother executed Power of Attorney vide Ext.14 in favour of defendant no.20 on 11-06-2007 wherein he is a witness and her mother died after two to four months of execution of Ext.14. In para 15 he has further admitted that his mother Taramani died in the year 2007 whereas his aunt Pramila Jena defendant no.10 is alive. In para 18 he has also admitted that though in Ext.15 his mother is shown as vendor but she was not alive then. Hence, evidence on record clearly reveals that Taramani, mother of plaintiff, defendant nos. 1 and 2 was not alive by the time of execution of sale deed in respect of property covered under Lot no.6. So sale of share of Taramani is void ab initio. So far as validity of the sale deed in respect of share of Pramila Jena defendant no.10 is concerned, plaintiff averments itself reveals that kissam of property under Lot no.6 has been converted under Section 8- A of OLR Act, 1967 vide OLR Case no.405/2009. The sale deed vide Ext.15 has been executed on 01-02-2010 i.e after conversion of kissam of the said land to homestead. This apart, defendant no.10 is not challenging the sale of her share. Hence, the plea of the

plaintiff that the transfer of undivided interest of defendant no.10 is not permissible so as to create fragmentation is not sustainable. Therefore, it is held that sale deed in respect of property in Plot no.645 under Khata no.121, area Ac.0.20 decimals in Mouza Saleswar in favour of defendant no.20 is valid to the extent of share of Pramila Jena defendant no.10. Out of the rest half share of Taramani, plaintiff, defendant nos.1 and 2 each are entitled to $1/3^{\text{rd}}$ share thereby each of them are entitled to $1/6^{\text{th}}$ share. These issues are answered accordingly.

Issue nos.1, 2 and 6

17. It is pleaded and deposed by the plaintiff that defendant no.1 intended to create further encumbrances which was objected by her and dissension arose between them and defendant no.1 refused her request for amicable partition for which she filed this suit for partition claiming her legitimate share. Hence, there is cause of action to file the suit. As regards to maintainability of the suit, it is pleaded by defendant nos.1 and 3 and defendant no.19 that the suit is bad for non-joinder of necessary parties. During course of argument, they have contended that plaintiff has not impleaded the purchasers thereby suit is to be dismissed. On the other hand, learned counsel for the plaintiff argued that it is not the plaintiff who has sold portion of suit property and therefore it is not necessary on her part to make the purchasers as party defendants. Admittedly the purchasers have purchased portion of suit property from a co-sharer. The purchasers have stepped into the shoe of their vendor. So, they can work out their share or their entitlement if any from their vendor thereby plaintiff's right is not going to be

affected and hence they are not necessary parties. This apart, it is already held that property sold by defendant no.1 will be adjusted to his share at the time of final decree. Hence, the suit is not bad in that respect and accordingly it is maintainable. Except the relief given above, plaintiff is not entitled to any other relief.

Hence it is ordered.

ORDER

The suit be and same is decreed preliminarily on contest against defendant nos.1, 3, 5 to 11 & 19 and ex parte against defendant nos.2, 4, 12 to 18 and 20 but under the circumstances without any cost. It is hereby declared that plaintiff, defendant no.1 and defendant no.2 each are entitled for 1/3rd share in the property described under Lot nos.1, 7 and 8. The land sold by defendant no.1 will be adjusted to his share. The sale of property under Lot no.6 is valid to the extent of half share of Pramila defendant no.10 and out of Taramani's half share in the said property, the plaintiff, defendant no.1 and defendant no.2 each are entitled for 1/3rd share. In Lot nos.2 and 5 property defendant nos.4 to 11 jointly have got half share thereby each of them are entitled for 1/16th share whereas plaintiff, defendant nos.1 and 2 jointly have got half share thereby each of them are entitled for 1/6th share in the said property. In Lot no.4 property, defendant no.12 alone has got 1/3rd share, defendant nos.13 and 14 jointly have got 1/3rd share thereby each of them are entitled for 1/6th share and defendant nos.15 to 18 jointly have got 1/3rd share thereby each of them are entitled for 1/12th share. So far as property covered

under Lot nos.3, 9 and 10 are concerned, Madhusudan defendant no.3 alone has got 1/3rd share, defendant nos.1 and 2 have got 1/3rd share thereby each of them are entitled for 1/9th share, defendant nos.4 to 11 jointly have got 1/3rd share thereby each of them are entitled for 1/24th share. The parties are directed to make amicable partition without causing fragmentation of the chaka land within two months hence and to file allotment sheet failing which any of them may approach the Court to make the preliminary decree final.

***1st. Addl. Senior Civil Judge,
Bhubaneswar.***

The judgment is typed to my dictation by the typist attached to this Court directly on the computer provided under E-Court Project, corrected and pronounced by me in the open Court today i.e. on the 31st day of March, 2015 under my seal and signature.

***1st. Addl. Senior Civil Judge,
Bhubaneswar.***

List of Witnesses examined for the Plaintiff:

P.W.1: Sanjukta Dalai @ Jena

List of Witnesses examined for the Defendants :

D.W.1: Sunakar Jena

D.W.2: Madhusudan Jena

D.W.3: Sri Rashmi Ranjan Beura

List of Documents marked as Exhibits for the Plaintiff:

Ext.1: Certified copy of Consolidation R.O.R. relating to
Mouza Atala, Khata no.186 ;

Ext.2: Certified copy of Computerised R.O.R of Mouza Atala,
Khata no.359/175 ;

- Ext.3: Certified copy of Consolidated R.O.R of Mouza Atala, Khata no.187 ;
- Ext.4: Certified copy of Consolidation R.O.R of Mouza Atala, Khata no.188 ;
- Ext.5: Certified copy of Consolidation R.O.R of Mouza Atala, Khata no.303 ;
- Ext.6: Certified copy of consolidation R.O.R of Mouza Atala, Khata no.118 ;
- Ext.7: Certified copy of consolidation R.O.R relating to Mouza Saleswar Khata no.121 ;
- Ext.8: Certified copy of conversion Khata no.299/207 carved out of Khata no.121 ;
- Ext.9: Certified copy of consolidation R.O.R of Mouza Saleswar, Khata no.21 ;
- Ext.10: Certified copy of consolidation R.O.R relating to Mouza Kotakana, Khata no.41 ;
- Ext.11: Certified copy of consolidation R.O.R relating to Mouza Kotakana, Khata no.42 ;
- Ext.12: Certified copy of consolidation R.O.R relating to Mouza Baidol, Khata no.46 ;
- Ext.13: Certified copy of Power of Attorney vide Registration no.5823 dtd.21-04-2008 executed by defendant no.1 in favour of defendant no.19 ;
- Ext.14: Certified copy of Power of Attorney vide registration no.6483 dt.11-06-2007 executed by Taramani Jena in favour of defendant no.20 ;
- Ext.15: Certified copy of Sale Deed vide no.2210 dtd.01-02-2010.

List of Documents marked as Exhibits for Defendants:

- Ext.A: Registered General Power of Attorney bearing no.5823 dtd.21-04-2008 ;
- Ext.B: Certified copy of Registered Sale Deed no.829 dtd.12-01-2010 executed by defendant no.1 ;
- Ext.C: Certified copy of Registered Sale Deed no.9900 dtd.26-06-2009 executed by defendant no.1 in favour of Manorama Behera ;
- Ext.D: Certified copy of Registered Sale Deed no.20476 dt.30-11-2009 executed in favour of Prabhanjan Kanungo ;
- Ext.E: Certified copy of Registered Sale Deed no.20477 dt.30-11-2009 executed in favour of Jyoti Ranjan Pati ;

- Ext.F: Certified copy of Registered Sale Deed no.20475
dt.30-11-2009 executed in favour of
Sagar Ranjan Behera ;
- Ext.G: Certified copy of Registered Sale Deed no.13986
dt.19-08-2009 executed in favour of Haren Kumar Jena;
- Ext.H: Certified copy of Registered Sale Deed no.11158
dtd.10-07-2009 executed in favour of Debashrita Sahoo ;
- Ext.J: Certified copy of Registered Sale Deed no.9899
dt.26-06-2009 executed in favour of Ranjan Kumar Behera
- Ext.K: Certified copy of Registered Sale Deed no.10661
dtd.26-06-2009 executed in favour of Pramod Ku. Das ;
- Exts.L to L/9 : Certified copy of Mutation R.O.R relating to
Khata nos.359/362, 359/359, 359/375, 359/361,
359/452, 359/492, 359/518, 359/542, 359/451
and 359/358 of Mouza Atala.

***1st. Addl. Senior Civil Judge,
Bhubaneswar***