



COURT NOTICE
(U/o 5 Rule 20 CPC)

IN THE COURT OF Manoj Dahiya
Civil Judge (Junior Division) Hisar

Next Date, Purpose of case, Orders and Judgments as well as other
case information is available on <http://ecourts.gov.in>

Indro Devi

Vs.

Rajesh Kumar

CNR No. HRHS02-000706-2016

Next Date:- 16-11-2019

Suit for declaration to the effect that the plaintiff is owner in possession by way of sale deed No. 4743 dated 17.09.2009 executed by defendant No. 2 through Sh. K D. Sharma, the then Chief Manager/Authorised Officer of Bank of Maharashtra, Chandigarh regarding a plot being part of khasra No. 214/15/2(6-0) 16/2(5-10), measuring 80 Sq. yds. (3 marlas) in favour of plaintiff, situated at Shiv Colony, Hisar, thus, the plaintiff is owner in possession of said plot and the defendant No. 1 Rajesh Kumar has mortgaged said plot on 18.04.2006 in favour of defendants No. 2 and 3 and after the mortgage of said plot, he did not make repayment of loan/mortgage amount of defendants No. 2 and 3 and then under the purview of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and in exercise of powers conferred under Section 13 read with Rule 9 of the Security Interest Enforcement Rules, 2002 defendants No. 2 and 3 have sold out the said plot to the plaintiff by way of aforesaid sale deed No. 4743 dated 17.09.2009 and defendant No. 1 without any intimation and without obtaining any permission from defendants No. 2 and 3 by playing fraud and concealment of facts, defendant No. 1 again sold out the said plot to defendant No. 4 vide sale deed No. 4649 dated 08.08.2008 and thus, the sale deed No. 4649 dated 08.08.2008 is illegal, null and void, bad in law, void ab-initio and liable to be set aside and cancelled because the plot in question was already mortgaged with the defendants No. 2 and 3 and as such this sale deed No. 4649 dated 08.08.2008 was not binding upon the rights of the defendants No. 2 and 3 as well as the plaintiff because the plaintiff is the true owner in possession of the plot in question by way of purchase in an auction conducted by defendants No. 2 and 3 and that the defendant No. 4 has no claim, concern, title or interest whatsoever with the plot in dispute is owner in possession of the plot in question with the consequential relief of permanent injunction (prohibitory) to the effect that the defendant No. 4 be restrained and forbidden from interfering in the peaceful and established possession of the plaintiff over the plot in question vide sale deed No. 4743 dated 17.09.2009

PUBLICATION ISSUED TO: Defendant No5

Sangeeta Spouse :-Naresh Kumar Satrod Khurd Distt. Hisar.

To,

The Manager

.Dainik Chetna Loharu road Bhiwani.

Whereas it has been proved to the satisfaction of the Court that the defendant(s)/respondent(s) above named cannot be served in the ordinary way of service. Hence, this proclamation **under order 5 Rule 20 CPC** is hereby issued against him/them and should appear personally or through their counsel on **16-11-2019 at 10:00 a.m.**

Take notice that, in default of his/their appearance on the day before mentioned, the above said case will be heard and determined in his/their absence according to law.

Given under my hand and the seal of the Court, this **27-09-2019**.

DM No.1507 Dt.12.9.32019

Rs.1575/-

Civil Judge (Junior Division)

Hisar