

No. 320

8/1-2-22
Dated 01-02-2022

To

The Editor
Punjab Kesari,
Hisar.

SUB: For publication

MEMO:

Plaintiff has deposited Rs.2000+MO fees for publication in your newspaper on 22.3.2021, the same amount sent to you vide DM no.239 dated 23.3.2021, but you have not published the notice of defendant. You have demanded Rs.4500/- for above said publication. Plaintiff has been again deposited Rs.2400/- on 10.8.2021. The same amount has been sent to you vide DM no.95 dated 10.8.2021. You have neither published the above said publication. A notice was issued regarding publication to you on 6.10.2021 by the court of undersigned. You have published the notice only on 22.10.2021 in your newspaper, but you have not published the full particulars of the defendant/suit.

You are further directed to publish the attached full particular of publication published in your newspaper immediately on previous amount has already been sent you and copy of newspaper sent to this court. The case is pending for 7.3.2022. For any queries contact the mobile no.94161-46122 reader of this court.

(Amit Ahlawat)
CJ(JD), Sirsa.

27.1.22



COURT NOTICE
(U/o 5 Rule 20 CPC)
IN THE COURT OF Shri Amit Ahlawat
Civil Judge Junior Division - III ,Sirsa

DERA BABA BHUMAN SHAH
Vs.
DR. PARVEEN GARG

CNR No. HRSI02-001564-2014
Next Date:- 07-03-2022

PUBLICATION ISSUED TO:

Pushpa Devi
Spouse :-Sh. Nem Chand S/o Sh. Hans Raj
Sardoolghad, Tehsil Sardoolgarh, District Sirsa

In above titled case, the defendant(s)/respondent(s) could not be served. It is ordered that defendant(s)/respondent(s) should appear in person or through counsel on **07-03-2022** at **10:00 a.m.**

For details logon to https://highcourtchd.gov.in/?trs=district_notice&district=Sirsa



Civil Judge Junior Division - III
Sirsa

Dated, this day of 28-01-2022

(Not to be published in newspaper)

Forwarded to the Manager, PUNJAB KESARI, for publication and necessary compliance. Copy of Publication be sent to the Court of undersigned before the next date of hearing.



Civil Judge Junior Division - III
Sirsa

COURT NOTICE

IN THE COURT OF Shri Amit Ahlawat
Civil Judge Junior Division - III, Sirsa

DERA BABA BHUMAN SHAH
Vs.
DR. PARVEEN GARG

PAYMENT ORDER

To

The Advertisement Manager,
PUNJAB KESARI.

Receipt No. 239 dt 23/2/21
95 dt 10/8/21

Amount 4500/-

Dated _____



Civil Judge Junior Division - III
Sirsa

[Handwritten signature]

COURT NOTICE
(U/o 5 Rule 20 CPC)

IN THE COURT OF Shri Amit Ahlawat
Civil Judge Junior Division - III Sirsa

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

DERA BABA BHUMAN SHAH
Vs.
DR. PARVEEN GARG

CNR No. HRSI02-001564-2014
Next Date:- 07-03-2022

PUBLICATION ISSUED TO:

Pushpa Devi
Spouse :-Sh. Nem Chand S/o Sh. Hans Raj
Sardoolghad, Tehsil Sardoolgarh, District Sirsa

To,

The Manager
PUNJAB KESARI.

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 **07-03-2022 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 **28-01-2022**.

Civil Judge Junior Division - III
Sirsa



AMENDED TITLE ACJ(SD), Sirsa.
1/12/21

IN THE COURT OF SMT. REETU ACJ SENIOR DIVISION, SIRSA.

Dera Bana Bhumman Shah, Sanghar Sarista, Jere Itaman
Mahant Brahm Dass Chela Mahant Amar Nath Chela Chattar
Dass as Mahant and recorded owner, village Sanghar
Sarista, Tehsil and District Sirsa.

...Plaintiff

Vs.

1-Dr. Parveen Garg C/O Garg Diagnostic Centre
Dabwali Road, Sirsa.

2- Pushpa Devi Wife of Shri Nem Chand son of Shri
Hans Raj R/o Sardoolghad Tehsil Sardoolghad
District Mansa.

----Defendants

Suit for declaration

Sirsa/ 15-2-2021

Submitted by

Dera Bana Bhumman Shah,
Sanghar Sarista

Amar Singh Beniwal

THROUGH: AMAR SINGH BENIWAL ADVOCATE, SIRSA.

In the Court of Civil Judge, Sr. Divn, Sirsa

Dera Baba Bhumman Shah, Sanghar Sarista, Jere Itamam
Mahant Brahm Dass chela Mahant Amar Nath chela
Chattar Dass as Mahant and recorded Owner, Village
Sanghar Sarista, Tehsil and District Sirsa

... Plaintiff

VERSUS

Dr. Parveen Garg C/o Garg Diagnostic Centre Dabwali
Road, Sirsa

... Defendant

Def no: 2- Added After Amended plaint filed

Suit for Declaration to the effect that khasra no.
919/4 min measuring 117' x 32' bounded as **West**
National Highway Sirsa-Dabwali Road; **East** Land
of Dera Baba Bhumman Shah; **North** Possession
Dr. P. Dayal; **South** Possession of Dr. Satish
Jhunthra, shown in the site plan attached herewith
in "**Blue Colour**" is the ownership of Dera Baba
Bhumman Shah, Sanghar Sarista jere Itamam
Mahant Baba Brahm Dass purchased in the name
of Usassi Sadh Mahant Amar Nath of this dera with
dera funds vide sale deeds No. 340 dated 18-11-
1950 and any deed in favour of defendant, if any

qua this part khasra no. 919/4 min, 416 sq. yards in favour of defendant, is without authority and don't confer any title and are null and void and are also without legal necessity of the dera Baba Bhumman Shah, Sanghar Sarista, and are liable to be set aside or ignored with consequential relief of actual vacant possession of this suit land 416 sq. yards from the defendant, with further consequential relief of permanent injunction restraining the defendants from alienating or creating any charge over this land in any way and also restraining the defendant from interfering with the possession of the plaintiff after delivery of possession for ever, on the basis of evidence of every description oral as well as documentary.

R/Sir,

The plaintiff respectfully submits as under:

1. That Baba Bhumman Shah was an Udaasi Sadhu blessed with super natural saintly powers and established a dera in village Kot Kubut Pura, later on known as village Bhumman Shah, Distt. Mintgumri,

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now in Pakistan, known as Dera Baba Bhumman Shah. The brief History of the dera find discussed in AIR, 1937, Lahore, 529, (DB). Copy of which is attached. Mahantship of this Dera came from Guru to Chela continuously and Mahant Girdhari Dass Chela Mahant Harbhajan Dass became Mahant of this Dera in the year 1925. This dera owned thousands acres of land donated by the owners of that village and also given grants by the then Muslim kings. On partition of the country, Mahant Girdhari Dass shifted to India and established this Dera in village Sanghar Sarista, Tehsil Sirsa both same activities and objects.

2. That Kharsa No. 919, and khasra no. 920 situated in Sirsa estate within municipal limit were purchased with dera funds by Mahant Girdhari Dass Chela Mahant Harbhajan Dass, the then Mahant of Gaddi Dera Baba Bhumman Shah, Sanghar Sarista in the name of Baba Amar Nath chela Baba Chattar Dass, the udaasi Sadh of this dera for constructing his residence in Sirsa town vide sale deed no. 340 dated 18-11-1950 and so Mahant Girdhari Dass constructed

his residence in these khasra numbers and established Pooja Sthal and sadhna centre in this area which are still existing.

3. That as per custom and law applicable to this dera any property standing or purchased in the name of any Sadhu of Dera, is deemed to be the property of Dera irrespective of the fact that it may be standing in revenue record in ownership of that person and such property belongs to Dera and it can not be sold or alienated without legal necessity of the dera. So, this property is the property of this dera Baba Bhumman Shah, Sanghar Sarista, which is now recorded the ownership of Mahant Brahm Dass.
4. That after the death of Mahant Girdhari Dass in 1977, said udaasi Sadh Amar Nath became mahant of this Gaddi, Dera Baba Bhumman Shah, Sanghar Sarista in 1977 and started using this kothi with attached land as such.
5. That said Mahant Amar Nath was not mahant of good habits, so he started squandering dera properties by sales and gifts etc. without legal necessity of the dera

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and without any legal authority and all such acts of Said Amar Nath were / are illegal and against the interest of Dera and is breach of trust and duty and a fraud on Dera and are not binding on the gaddi and Dera Baba Bhumman Shah, Sanghar Sarista.

6. That feeling aggrieved by the illegal acts of Mahant Amar Nath, some followers Milkh Raj Advocate, Bala Ram etc. filed civil suit U/s 92 of CPC for removal of this Mahant Amar Nath from Gaddi and also got injunction order restraining him from alienating the dera and trust properties and also this dera challenged through present Mahant Brahm Dass, the Will dated 01-10-1977 of Mahant Girdhari Dass in favour of his grand daughter Veenu Bawa @ Beenu Bawa, which has been set aside and Mahant Amar Nath also executed three 99 years lease deeds of dera and trust properties, which have also been set aside by the courts.

7. That the defendant has also grabbed and encroached the dera property comprised in khasra no. 919/4 min measuring 117' x 32' bounded as West National

Highway Sirsa-Dabwali Road; East Land of Dera Baba Bhumman Shah; North Possession Dr. P. Dayal; South Possession of Dr. Satish Jhunthra, in collusion with said Mahant Amar Nath and have caused irreparable loss to the dera. Mahant Amar Nath had no right or authority to give this land to defendant and this transfer of possession to the defendant in any way, is an illegal and immoral act and is against interest of Dera and is not binding on the dera and this dera is entitled to get vacant possession of this dera property at the cost of defendant. The location of this part has been shown in **Blue Colour** in site plan attached herewith.

8. That Mahant Amar Nath expired on 01-01-2003 and after his death, his chela Baba Brahm Dass was appointed Mahant of this Gaddi and Dera Baba Bhumman Shah, Sanghar Sarista on 05-02-2003, so Baba Brahm Dass is presently Mahant of this Gaddi Dera Baba Bhumman Shah, Sanghar Sarista and has also been authorized by Bhaikh vide resolution no. 2

dated 05-01-2014 to deal with this land and to file this suit and to recover possession from the defendant.

9. That all the transfers and alienations, if any including the transfer of possession in favour of defendant are illegal in collusion with Mahant Amar Nath without any right and authority who had no such right to squander the dera property and this act of transfer in favour of defendants is illegal and against custom and law applicable to dera properties, so the defendant have no right to remain in possession of this property detailed above.
10. That registered notice was given by the plaintiff to the defendant on 04-02-2014, through Sh. A.S. Beniwal, Advocate, Sirsa, which was duly received by defendant on 15-02-2014 as per postal tracking from website, but no reply of this legal notice was given by the defendant at all and has also not handed over the vacant possession of the suit land to the plaintiff, even after expiry of the prescribed period in notice. So, the

cloud has been cast on the rights of the plaintiff and this suit for declaration and possession is being filed to recover the said dera property from the defendant. Hence, this suit. Copy of Legal Notice and postal receipt, are attached herewith.

11. That Mahant Amar Nath died on 01-01-2003 and Baba Brahm Dass became the new mahant of this Dera on 05-02-2003, so the plaintiff dera has right to file the suit through Mahant Brahm Dass to recover this property from the defendant to dera and the suit is within limitation of 12 years from the appointment of Baba Brahm Dass as Mahant on 05-2-2003
12. That the parties belong to Sirsa district and suit land also located in Sirsa town, so the Civil Court at Sirsa has jurisdiction to entertain and try this suit.
13. That valuation of the suit for the purposes of court fees and jurisdiction is Rs. 200 and court fees of Rs. 25/- is being affixed on the plaint.
14. That no suit or proceeding on this very subject matter has been filed or decided or pending elsewhere.

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Hence, decree for declaration to the effect that khasra no. 919/4 min measuring 117' x 32' bounded as West National Highway Sirsa-Dabwali Road; East Land of Dera Baba Bhumman Shah; North Possession Dr. P. Dayal; South Possession of Dr. Satish Jhunthra, shown in the site plan attached herewith in "Blue Colour" is the ownership of Dera Baba Bhumman Shah, Sanghar Sarista jere Itamam Mahant Baba Brahm Dass purchased in the name of Usassi Sadh Mahant Amar Nath of this dera with dera funds vide sale deeds No. 340 dated 18-11-1950 and any deed in favour of defendant, if any qua this part khasra no. 919/4 min, 416 sq. yards in favour of defendant, is without authority and don't confer any title and are null and void and are also without legal necessity of the dera Baba Bhumman Shah, Sanghar Sarista, and are liable to be set aside or ignored with consequential relief of actual vacant possession of this suit land 416 sq. yards from the defendant, with further consequential relief of permanent injunction restraining the defendants from alienating or creating any charge over this land in any way and also restraining the defendant from interfering with the

possession of the plaintiff after delivery of possession for
ever may kindly be passed in favour of plaintiff and against
the defendants with costs throughout.

Date: 09-09-2014

Place: Sirsa

Submitted by:

Dera Baba Bhumman Shah, Sanghar
Sarista, Jere Itamam Mahant Brahm Dass
chela Mahant Amar Nath chela Chattar
Dass as Mahant and Owner, Village Sanghar
Sarista, Tehsil and District Sirsa
... Plaintiff

Through: A.S. Beniwal, Advocate, Sirsa

Verification: Verified that the contents mentioned above
are true and correct to the best of my knowledge and belief
and no part of it has been kept concealed therein.

Verified at Sirsa on 09-09-2014

Plaintiff

In the Court of Civil Judge, Sr. Divn, Sirsa

Dera Baba Bhumman Shah VS Dr. Parveen Garg

Suit for Declaration

Application U/s 39 rule 1 & 2 read with section 151 CPC

R/Sir,

The plaintiff respectfully showth:

1. That the Mahant Amar Nath has squander the dera property to defendants by colluding with them without any right or authority, and defendants are further threatening to alienate the suit properties and if the succeed in doing so, the plaintiff shall suffer an irreparable loss, which can not be compensated lateron in any manner.
2. That the plaintiff has prima facie case and balance of conveyance also lies in his favour.

It is therefore, humbly requested that defendants be restrained to alienate the suit properties till the final decision of the case by passing an ad-interim injunction.

Date: 09-08-2014

Place: Sirsa

Submitted by:

Dera Baba Bhumman Shah, Sanghar Sarista,
Jere Itamam Mahant Brahm Dass chela
Mahant Amar Nath chela Chattar Dass as
Mahant and record Owner, V. Sanghar Sarista,
Teh. & Distt. Sirsa

... Plaintiff

Through: A.S. Beniwal, Advocate, Sirsa

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In the Court of Civil Judge, Sr. Divn, Sirsa

Dera Baba Bhumman Shah, Sanghar Sarista (Sirsa)

VERSUS

Dr. Parveen Garg

SUIT FOR DECLARATION

AFFIDAVIT IN SUPPORT OF PLAINT

I, Mahant Brahm Dass chela Mahant Amar Nath chela Chattar Dass as Mahant and recorded Owner Dera Baba Bhumman Shah, Sanghar Sarista, Jere Itamam, Village Sanghar Sarista, Tehsil and District Sirsa do hereby solemnly affirm and declare as under:

1. That plaint has been filed which is most likely to succeed in favour of the petitioner.
2. That I have read and understood the contents of accompanied plaint, which are true and correct to the best of my knowledge and belief.
3. That the contents mentioned in accompanied plaint may kindly be read part of this deposition.

Date: ~~02~~-09-2014

Place: Sirsa

Deponent

Verification: Verified that the contents mentioned above are true and correct to the best of my knowledge and belief and no part of it has been kept concealed.

Date: ~~02~~-09-2014

Place: Sirsa

Deponent