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**COURT NOTICE
(U/o 5 Rule 20 CPC)**

IN THE COURT OF Dr. Ram Niwas Bharati
District and Sessions Judge Sirsa

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

**GEETA DEVI
Vs.
KRISHAN LAL**

CNR No. HRSI01-006785-2018
Next Date:- 22-05-2019

PUBLICATION ISSUED TO:

RESPONDENTS NO.

3,5,6,8,9,10,11,12,13,14,15,16,17,18,19,20,22,23,24,26,27,28,29,30,31,33,34,35,36,37,
38,39,41,42,43,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,
68,69,74,76.

To,

The Manager
Dainik Chetna, News Paper
Bhiwani, Haryana.

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 **22-05-2019 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 **08-05-2019**.



**District and Sessions Judge
Sirsa**

IN THE COURT OF DISTRICT JUDGE, SIRSA

CIVIL APPEAL NO. _____ OF 2018

Civil Suit number in the Trial Court	Date of instt. Of the suit in the Trial Court.	Date of Decision of the suit in the Trial Court.	
98 of 2016	22.03.2016	24.09.2018	
Date of Filing the Appeal	Value of the suit for the purpose of CF. & juris.	Value of the appeal for the purposes of CF and Juris.	Amount of fee affixed on the Appeal
23.10.2018	Rs. 200/-	Rs.200/-	Rs. 25/-

1. Geeta Devi aged about 45 years, wife of Krishan Lal son of Bagrawat @ Bagru Ram,

2. Rajinder Kumar aged about 26 years, son of Sh. Krishan son of Bagrawat @ Bagru Ram, both residents of village Nuhianwali Tehsil Kalanwali District Sirsa (Haryana).

..Defendant-appellant

Versus

1. Krishan Lal son of Aasa Ram son of Jita Ram, resident of Mirja Wali Mehar, Tehsil Tibbi, District Hanumangarh.

2. Subhash son of Khayali Ram son of Baggu,

463-CA
23/10/18

3. Mandan Lal son of Hari Ram son of Baggu, both residents of village Rampuria, Tehsil Tibbi, District Hanumangarh
- ✓ 4. Dharampal son of Hem Raj @ Het Ram son of Narayan, resident of Ellenabad, District Sirsa.
...plaintiff-respondent
5. Prem Kumar son of Sh. Ramji Lal son of Ram Ratan,
6. Chhotu Ram son of Ramji son of Ram Ratan
- ✓ 7. Ram Jas son of Ramji Lal son of Ram Ratan,
8. Maina Daughter of Sh. Ramji Lal son of Ram Ratan,
9. Vimla daughter of Ramji Lal son of Ram Ratan,
10. Krishna daughter of Ramji Lal son of Ram Ratan,
11. Ram Sarup son of Hem Raj @ Het Ram son off Narayan,
12. Balram son of Hem Raj @ Het Ram son of Narayan,
..all residents of village Rampuria, Tehsil Tibbi, District Hanumangarh.
13. Mange Ram @ Gian Parkash son of Om Parkash son of Hem Raj @ Het Ram son of Naryan.
14. Sharda daughter of Om Parkash son of Hem Raj @ Het Ram son of Naryan,
15. Maya Devi daughter of Om Parkash son of Hem Raj @ Het Ram,

16. Saroj daughter of Om Parkash son of Hem Raj @
Het Ram,
17. Urmila daughter of Om Parkash son of Hem Raj @
Het Ram,
18. Ram Partap son of Hem Raj @ Het Ram son of
Naryan, All residents of village Rampuria,
Tehsil Tibbi, District Hanumangarh.
19. Aatma Ram son of Hem Raj @ Het Ram son of
Naryan, resident of Ellenabad, District Sirsa.
20. Uggar sain son of Hem Raj @ Het Ram son of
Naryan,
- * 21. Jaswant son of Hem Raj son of Naryan,
22. Lal Chand son of Hem Raj @ Het Ram son of
Naryan,
23. Saraswati daughter of Hem Raj @ Het Ram son of
Narayan,
..all residents of village Rampuria, Tehsil
Tibbi, District Hanumangarh.
24. Brij Lal son of Hari Ram,
- * 25. Raja Ram son of Hari Ram,
26. Ram Kumar son of Hari Ram,
27. Tara Chand son of Hari Ram son of Bagu,
28. Leelawati daughter of Hari Ram son of Bagu,
29. Vidya daughter of Sh. Hari Ram son of Bagu,
30. Bimla daughter of Hari Ram son of Baggu ,

31. Shanti daughter of Hari Ram son of Baggu,
 32. Om Parkash son of Khayali Ram,
 33. Sham Lal @ Radhey Shyam son of Khayali Ram son of Bagu,
 34. Maina daughter of Khayali Ram son of Bagu,
 35. Mathro daughter of Khayali Ram son of Bagu,
 36. Savitri daughter of Khayali Ram son of Bagu,
 37. Badhu daughter of Khayali Ram son of Bagu,
 38. Maya daughter of Sh. Khayali Ram son of Bagu,
 39. Kallo daughter of Sh. Khayali Ram son of Bagu,
 40. Indraj son of Jita Ram son of Tiloka,
 41. Nathi daughter of Jita Ram son of Tiloka,
 42. ~~Badhu~~ daughter of Jita Ram son of Tiloka,
 43. Ram Pyari daughter of Jita Ram son of Tiloka
 44. Chando daughter of Jita Ram son of Tiloka
 45. Dhanna son of ~~Jita~~ ^{Chanan} Ram son of Tiloka
 46. ~~Son~~ Kheta son of ~~Jita Ram~~ ^{Chanan} son of Tiloka
 47. Shanti daughter of ~~Jita Ram~~ ^{Chanan} son of Tiloka,
 48. Chidiya widow of Chanan son of Tiloka,
- ...all residents of village Rampuria, Tehsil Tibbi,
District Hanumangarh.
49. Girdhari son of Guddi daughter of Hari Ram,
 50. Bala Ram son of Guddi daughter of Hari Ram,
 51. Sumitra daughter of Guddi daughter of Hari Ram,
 52. Gogan daughter of Guddi daughter of Hari Ram,

53. Gogan daughter of Guddi daughter of Hari Ram,
.....all residents of village Masitan Wali Head,
Tehsil Tibbi, District Hanumangarh.
54. Bhagirath son of Tulsi Devi daughter of Bagu,
55. Gopi son of Tulsi Devi daughter of Bagu,
56. Paaro Devi daughter of Tulsi Devi daughter of
Bagu,
57. Sarbati daughter of Tulsi Devi daughter of Bagu,
58. Maya Devi daughter of Tulsi Devi daughter of
Bagu,
59. Goma daughter of Tulsi daughter of Bagu,
60. Likhma Ram son of Jaiti Devi daughter of Bagu,
61. Ram Chander son of Jaiti Devi daughter of Bagu,
62. Krishan son of Jaiti Devi daughter of Bagu,
63. Dawarka Nath son of Jaiti Devi daughter of
Bagu,
64. Badami daughter of Jaiti Devi daughter of Bagu,
65. Guddi daughter of Jaiti Devi daughter of Bagu,
...all residents of village Khusar, Tehsil Rania,
District Sirsa.
66. Devi Lal son of Aasa Ram son of Jita.
67. Om Parkash son of Aasa Ram son of Jita,
68. Reshmi Devi daughter of Aasa Ram son of Jita,
69. Banti Devi daughter of Aasa Ram son of Jita ,

...all residents of Village Rawla, Tehsil Garhsana,
District Ganga Nagar.

- ✓ 70. Chunni Devi wife of Mani Ram son of Ladhu,
✓ 71. Lal Chand son of Mani Ram son of Ladhu,
✓ 72. Jas Ram son of Mani Ram son of Ladhu,
✓ 73. Saraswati Devi wife of Ram Partap son of Sh.
Mani Ram son of Ladhu,
74. Hans Raj son of Ram Partap son of Sh. Mani Ram
son of Ladhu Ram,
✓ 75. Atma Ram son of Ram Partap son of Sh. Mani Ram
son of Ladhu Ram
76. Prem Chand son of Ram Partap son of Sh. Mani Ram
son of Ladhu Ram,
✓ 77. Hans Raj son of Bhagrawat @ Bagru son of Chanan
Ram,

... all residents of village Nuhianwali
Tehsil Dabwali District Sirsa.

...Respondents

Appeal against the judgment and
decree dated 24.09.2018 passed by Sh.
Pardeep Kumar, Learned Civil Judge
(Jr.Divn.), Dabwali in Civil Suit no.
98 of 2016 titled as " Krishan Lal

etc. Versus Prem Kumar etc." where by the suit of the plaintiff-respondent has been decreed with costs, against law and facts, without application of judicious mind and the law on the subject.

Claim in appeal:

For acceptance of the appeal; setting aside of the judgment and decree dated 24.09.2018 and dismissal of the suit of the plaintiff-respondent with costs throughout.

Grounds of Appeal:

Sir,

The appellant, respectfully, Showeth as under:

1. That the judgment and decree dated 24.09.2018 passed by Sh. Pardeep Kumar, Learned civil Judge (Jr.Divn.), Dabwali in civil suit no. 98 of 2016 styled as "Krishan Lal etc. Verssu Prem Kumar etc", whereby the suit of the plaintiff-respondents has been decreed with costs against law and facts, without application of judicious

mind and law on the subject. The judgment of the Trial Judge is based upon conjectures and surmises and the decree is illegal and perverse one and the same are liable to set aside. Certified copy of judgment and decree under appeal are appended herewith.

2. That the learned Trial Court has not framed all the necessary issues arising out of pleadings of the parties and has not given full and proper opportunity to the appellant to adduce his entire evidence. The parties to the appeal are referred as plaintiffs and defendants as per the original suit.

3. That the evidence led by the plaintiffs was neither sufficient nor cogent one. The predecessor in interest of plaintiffs had left village Nuhianwali hundred years ago and they have relinquished their right over the suit property. The defendants has been residing in the property in question which is residential one since long. The defendants have become owners in possession of the suit property by way of adverse possession. It has been admitted by the plaintiff that they never visited Nuhianwali since long. It has also admitted

by them that they never tried to get the possession of the suit property from the defendant. The revenue record ^{where} ~~has~~ by the plaintiffs were shown as co-sharer with the defendants was totally wrong and liable to be corrected.

4. That the evidence led by the defendants was more than sufficient to establish their possession and their having become owners for the same having become owners by way of adverse possession.
5. That the citation cited by the counsel for the plaintiff are not fit in the jacket of the present case and are distinguishable on material facts. The authority cited by the counsel of the defendants is not mentioned in the judgment. The judgment of the learned Trial Judge is totally perverse and deserves reversal.
6. That the learned Trial Court has passed the judgment in an arbitrary and mechanical manner and a grave injustice has been caused to the defendants. All the issues ought to have been decided in favour of the defendants and against

the plaintiff. The suit of the plaintiff was liable to be dismissed legally and factually.

7. That by passing the impugned judgment and decree, the same being perverse and illegal, a grave injustice has been caused to the defendants and thus the judgment and decree under appeal are liable to be quashed.

8. That the appeal is within the period of limitation.

9. That the appeal lies to this Hon'ble Court.

10. That a court fee of Rs. 25/- is affixed on the appeal.

It is, therefore, prayed that keeping in view the totality of the facts and circumstances of the case in hand, the appeal of the appellants may kindly be accepted with costs throughout after setting aside the impugned judgment and decree under appeal and the suit of the plaintiff-respondent be dismissed, in the interest of justice.

Sirsa/

Submitted by

1. Geeta Devi, wife of Krishan Lal son of Bagrawat @ Bagru Ram,
2. Rajinder Kumar son of Sh. Krishan son of Bag rawat @ Bagru Ram, both residents of village Magitan Wali Head, Tehsil Tibbi, District Hanumangarh (Rajasthan).

Presented by Sh. B.S. Yadav, Adv.
Put up in Fashi on today
Dated 23/10/18
Superintendent
Ct. (Judl.)

Respected Sirs,

Court fees collected and
appeal is within limit.

[Signature]
B.S. Yadav

[Signature]
Rajender Kumar

RTI?
Geeta Devi

Through: Sh. B.S. Yadav and N.S. Yadav Advocates,
Sirsa