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COURT NOTICE
(U/o 5 Rule 20 CPC)

IN THE COURT OF Dr. Chander Hass
Additional District and Sessions Judge-I Sirsa

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

RICHPAL SNGH

Vs.

BALWINDER KAUR @ GURMAIL KAUR

For acceptance of the appeal with costs
throughout, setting aside the judgment and decree
under appeal dated 05.04.2016 passed by the lower
court and for decreeing the suit of the plaintiffs /
appellants with costs throughout as prayed for in
the plaint and for grant of an ad-interim injunction
till the final decision of the present appeal

CNR No. HRSI01-002122-2016

Next Date:- 15-04-2021

PUBLICATION ISSUED TO:

Respondents nos.

4. (b) (a) Mahinder Pal Singh son of Basant Singh R/o Bangla Sant Nagar,
6. Sukhminder Kaur D/o Shri Gurcharan Singh son of Shri Jhanda Singh
8. Ranbir Singh, Son
9. Gurbeer Singh, Son
10. Kamaljit Kaur, daughter
of Shri Gurcharan Singh, Residents of Village Mirjapur, Tehsil Ellenabad Distt. Sirsa.

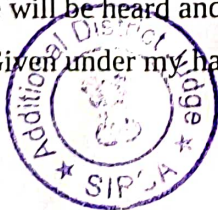
To,

The Manager,
Dainik Chetna,
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 **15-04-2021 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 **06-04-2021**.



(Dr. Chander Hass)
(Dr. Chander Hass)

Additional District and Sessions Judge-I

Sirsa

Decree Sheet in Civil Appeal

(Under Order 41 Rule 35 CPC)

**IN THE COURT OF DR. CHANDER HASS, ADDITIONAL DISTRICT
JUDGE, SIRSA.**

(UNIQUE IDENTITY NO.HR0145)

CNR No. : HRSI01-001270-2017
Civil Appeal No. : CA/120 of 2017
Date of Institution: 08.03.2017/04.05.2018
Date of Decision : 20.03.2021

Rajwinder Singh, aged about 43 years, son of Shri Harbans Singh son of Shri Arjun Singh, resident of Village Ganga, Tehsil Dabwali, District Sirsa.

...Plaintiff-Appellant

Versus

- 1). Harbans Singh son of Shri Arjun Singh son of Shri Jang Singh,
- 2). Bhupinder Singh son of Shri Harbans Singh son of Shri Arjun Singh,
- 3). Saravjit Singh son of Shri Harbans Singh son of Shri Arjun Singh,
- 4). Karanvir Singh minor son of Shri Bhupinder Singh son of Shri Harbans Singh, minor through his father Shri Bhupinder Singh acting as natural guardian and next friend.
- 5). Harpreet Singh minor son of Shri Saravjit Singh son of Shri Harbans Singh, minor through his father Shri Saravjit Singh acting as natural guardian and next friend.

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- 6). Kulwinder Kaur wife of Shri Harbans Singh son of Shri Bahadar Singh,
 7). Harvinder Kaur wife of Shri Charanjit Singh son of Shri Bahadar Singh,
 All residents of Village Ganga, Tehsil Dabwali, District Sirsa.

...Defendants-Respondents

- 8). Manpreet Kaur daughter of Harbans Singh son of Shri Arjun Singh, now wife of Shri Jagtar Singh, resident of Village Bhagu, Tehsil Malout, District Sri Mukatsar Sahib.

...Proforma Defendant/Proforma Respondent

Appeal against judgment and decree dated 03.02.2017 passed by the Court of Shri Jitender Singh, learned Civil Judge (Junior Division), Sirsa in Civil Suit No.208-C of 2015 in case titled as "*Rajwinder Singh Versus Harbans Singh and others*" vide which Suit of the plaintiff/appellant was dismissed with costs. The impugned judgment and decree are against law, facts and evidence, erroneous, against natural justice and are result of non-application of judicious mind and are also based on conjectures and, hence, the same are liable to be set aside.

Memorandum of Appeal

Rajwinder Singh

...Plaintiff

Versus

Harbans Singh and others

...Defendants

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Claim in Appeal:

“For acceptance of appeal by setting aside the impugned judgment and decree dated 03.02.2017 passed by the Court of Shri Jitender Singh, Civil Judge (Junior Division), Sirsa in Civil Suit No.208-C of 2015 in case titled as “Rajwinder Singh Versus Harbans Singh and others” and to decree the Suit of the plaintiff/appellant as prayed for with costs throughout.”

Plaint Presented on : 02.07.2015
 Jurisdiction Value : 200/-
 Court Fees on Plaint : 25/-

Claim in Civil Suit:

“Suit for declaration to the effect that the plaintiff is owner and in possession of land mentioned below:-

- a). *1/9 share of land comprised in Khewat No.1615, Khataoni No.2438, Khasra No.761(0-16), 1552(0-2) Kittas 2, area measuring 0K-18M;*
- b). *1/6 share of land comprised in Khewat No.1620, Khatoni No.2443, Kittas 16, area measuring 42K-1M;*
- c). *21-50 shares of land comprised in Khewat No.1617, Khatoni No.2440, Kittas 2, area measuring 15K-0M;*
- d). *252/4542 shares of land comprised in Khewat No.1618, Khatoni No.2441, Kittas 10, area measuring 75 Kanals 4 Marlas, as per Fard Jamabandi for the year 2012-2013, situated within the revenue*

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estate of Village Ganga, Tehsil Dabwali, Distict Sirsa, by way of oral family settlement, but the release deed bearing No.2488 dated 16.07.2013 is wrong, against law and facts, null and void, void abinitio, without authority, without competence, ineffective and inoperative upon the rights of the plaintiff and hence, the same is liable to be set-aside and Mutation bearing No.8445 entered and sanctioned on the basis of the impugned release deed is also wrong, against law and the same is liable to be set-aside and further the Sale Deed bearing No.120 dated 30.04.2015 is wrong, against law and facts, null and void, void abinitio, without authority, without competence, ineffective and inoprative upon the rights of the plaintiff and hence, the same is liable to be set-aside and further the Mutation, if any, entered and sanctioned on the basis of the impugned Sale Deed is also wrong, against law and facts, null and void and is liable to be set-aside and further, the revenue record is liable to be corrected in favour of the plaintiff; AND with a consequential relief of permanent injunction restraining the defendants from alienating or transferring the suit land or any part thereof to any one and also from creating any bar or lien over the suit land in any manner and further restraining the defendants from causing any type of interference into the possession of the plaintiff over the suit land, in any manner; on the basis of evidence, oral as well as documentary of all kinds.

This appeal coming on for hearing on the 20th day of March, 2021 for final disposal before me [Dr. Chander Hass, Additional District Judge, Sirsa].

Chander Hass
20/3/21

In the presence of:

Shri Ranjit Singh, Advocate for the Plaintiff-Appellant.

Shri Sanjay Goyal, Advocate for Defendants-Respondents 1 to 5.

Shri Mukesh Kariramna, Advocate for Defendants-Respondents 6 and 7.

Shri Amit Garg, Advocate for performa Defendant No.8-performa Respondent 8.

It is ordered that this Court does not find any infirmity, illegality and irregularity in the impugned judgment and decree dated 03.02.2017. Hence, the present appeal filed by plaintiff-appellant is hereby dismissed with costs.

The costs of this appeal, as detailed below, amounting to Rs.1514/- are to be paid by Plaintiff-Appellant. The costs of the original Suit i.e. Rs.906/- are to be paid by Plaintiff-Appellant.

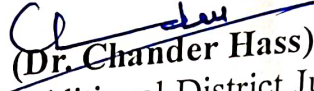
Costs of Appeal

Sr.	Description	Plaintiff/ Appellant	Defendants/ Respondents
1	Stamp for Petition	25.00	0.00
2	Stamp for Power	2.00	14.00
3	Stamp for Exhibits	0.00	0.00
4	Pleader's Fee	500.00	500.00 each
5	Subsistence for Witnesses	0.00	0.00
6	Commissioner's Fee	0.00	0.00
7	Service of Process	50.00	0.00

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8	Misc. Fee	27.00	0.00
9	Total	Rs.604.00	Rs.1514.00

Given under my hand and the seal of this Court, this 20th day of
March, 2021.


(Dr. Chander Hass),
Additional District Judge,
Sirsa.