

Subhash Yadav Vs. Avinash Puri & Ors.

29.01.2026

Fresh appeal under Order XLIII rule 1(r) read with Section 104 of CPC received by way of assignment. It be checked and registered.

Present : Sh. Yogender Singh Rohilla, Ld. Counsel for appellant.

Aggrieved by the impugned order dated 20.01.2026, the appellant who is a senior citizen approached this court for setting aside the impugned order. It is submitted that the respondents are acting in Unison to coerce the plaintiff to sell his land by doing several illegal activities. Ld. Counsel has submitted that the operation of the impugned order may be stayed in the interest of justice as it is apprehended that respondents/defendants may in the garb of impugned order will change the physical condition of the suit property by altering / constructing causing irreparable loss to the appellant.

Heard. Perused.

In the facts and circumstances, it is ordered that operation of the impugned order dated 20.01.2026 shall remain stayed till next date of hearing.

Plaintiff to comply the mandate of Order XXXIX Rule 3 CPC forthwith.

Appellant is directed to place on record the certified copy of the impugned order. Issue notice of the appeal and application under Section 151 of CPC to the respondent upon filing of PF/RC. Steps be taken within two weeks.

TCR be summoned for the next date of hearing.

Put up on **30.03.2026** for further proceedings.

Dasti copy of this order be given to the appellant.

(Dr. Pankaj Sharma)

DJ-02 & Waqf Tribunal

NDD/PHC/ND/29.01.2026