

**RSA No.62 of 2018**

12.11.2021

Present: Mr. Ajay Kumar Sood, Sr. Advocate with Mr. Rohit, Advocate, for the appellant.  
Mr. Bhairav Gupta, Advocate, for respondent No.1.  
Respondents No.2 and 5 served, but none present.  
Respondents No.3 and 4 served through publication, but none present.

**Admit** on the following substantial questions of law :

1. ***Whether the findings of the learned Trial Court and that of the First Appellate Court are a result of complete misreading of pleadings, evidence and particularly documents Ex.PW2/A, Ex.DX/2, Ex.DW6/A, Ex.DW6/B and Ex.PX1 and the law as applicable to the facts of the case and as such palpably erroneous, perverse and illegal and if so to what effect ?***
2. ***What is the effect of the judgment of the learned First Appellate Court refusing to give any finding on issue No.3 vis-a-vis documents Ex.DX/2 and Ex.PW5/A on the plea that no finding is required on them in view of finding on Ex.PW2/A and whether this has legally vitiated the judgment passed by the learned First Appellate Court and findings being perverse ?***

Mr. Bhairav Gupta, Advocate, waives post admission notice on behalf of respondent No.1. Issue post admission notice to respondents No.2 to 5 returnable within four weeks, on taking steps within three days. List thereafter.

**CMP No.1415 of 2018**

Learned counsel for the applicant-appellant states that he has filed the certified copy of learned Trial Court judgment and decree on 8.3.2018. In view of this, the instant application has become infructuous. Application stands disposed of.

**( Chander Bhusan Barowalia )  
Judge**

12<sup>th</sup> November, 2021  
(CS)