

RSA No.294/2015

5.10.2015 : Present: Mr. Virender Verma, Addl. A.G. with Mr. Pushpinder Jaswal, Dy.A.G. for the appellant.

Mr. Ajay Sharma, Advocate, for the respondent.

CMP No.6802/2015

Heard. Learned trial court has held that the respondent/plaintiff is owner in possession of the suit land entered in Khasra No.307, measuring 0-47-74 HMs. and Khasra No. 307/1 measuring 0-20-57 HMs situate in Mohal and Mauza Dholpur, Tehsil Fatehpur, District Kangra, H.P.. Learned lower appellate court has also dismissed the appeal preferred by the appellant/State. The appellant/State is now in regular second appeal before this Court. The appeal stands admitted for final hearing. The disposal thereof is likely to take longer time. In view the respondent/plaintiff has been held as owner in possession of the suit land by both courts below, therefore, direction to him not to alienate, encumber or create any charge over the suit land would serve the ends of justice. The application, therefore, is allowed. Consequently, the respondent is hereby restrained from alienating, encumbering or creating any charge over the suit land and also changing its nature in any manner whatsoever. The application is disposed of accordingly.

(Dharam Chand Chaudhary)
Judge

5th October 2015.
(pankaj)