

RSA No.257 of 2016

20.12.2016

Present : Ms. Jyotsna Rewal Dua, Sr. Advocate with Ms. Shalini Thakur, Advocate for appellant.

Mr. R. K. Sharma, Dy.A. G. for respondent No.1

None for other respondents

Heard. Preliminary hearing conducted upon admission. Records perused. After perusal of record carefully Court is of opinion that prima facie there are sufficient grounds for admission of present RSA as there are material complicated disputes inter se parties qua facts and laws. Arguable points are also involved. Hence present RSA is **admitted** on following substantial questions of law:

1. Whether learned Courts below erred in law in not appreciating entire documentary as well as oral evidence led by the parties?

2. Whether learned Courts below were justified in not decreeing the suit of the plaintiff for possession on the strength of his title when entire revenue record till date showed his predecessors and later on appellant himself alongwith co-owners as owners of suit land?

3. Whether defendant did not discharge its burden and could not prove oral gift over suit land?

Be listed for final hearing after four weeks.

CMP No.4459/2016

Heard. Contents of application and contents of response perused. In view of fact that RSA stood admitted for final hearing interim order dated 17.05.2016 is made absolute till disposal of RSA. However non-applicant i.e.

State of H.P. will be legally entitled to repair school building in dispute for welfare of minor children. CMP No.4459 of 2016 is disposed of.

Copy **dasti**.

20th December, 2016
(*rana*)

(P. S. Rana),
Judge.