



RSA No. 95 of 2016

17.08.2016

Present: Mr. J.R. Poswal, Advocate for the appellant.

Mr. Sanjeev Kumar, Advocate vice Mr. Sanjeev Kuthiala, Advocate for the respondents.

On behalf of respondents, Mr. Sanjeev Kuthiala, Advocate had put in appearance and sought time for filing power of attorney. Power of attorney has not been filed so far. Mr. Sanjeev Kumar, Advocate appearing for Mr. Sanjeev Kuthiala, Advocate has pleaded no instructions. Being so, there is no appearance on behalf of the respondents.

Heard. **Admitted** on the following substantial question of law:

Whether on account of mis-appreciation of the pleadings and law and also misreading of the oral as well as documentary evidence available on record, the findings recorded by both Courts below are erroneous and, as such, the judgment and decree impugned in this appeal being perverse and vitiated is not legally sustainable?

Post admission notice to the respondents returnable within eight weeks, on taking steps within a week.

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Having gone through the record of this case and hearing learned counsel for the applicant/appellant, the nature of the relief sought in this application cannot be granted, however, a direction to



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the parties to maintain status quo qua the nature and possession of the suit land would serve the ends of justice. The application is accordingly allowed and stands disposed of.

(Dharam Chand Chaudhary)
Judge

August 17, 2016
(naveen)



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