

Ramesh Kumar Vs. Sarita

CMPMO No.575 of 2025

24.09.2025 Present: Mr. V.S. Chauhan, Sr. Advocate with Ms. Priti Steta, Advocate, for the petitioner.

On taking steps within three days, issue notice to the sole respondent, returnable within four weeks. List thereafter.

CMP No.23725 of 2025

Notice in the aforesaid terms.

In the case at hand both the parties to lis had filed separate suits, seeking a decree of permanent prohibitory injunction. Ex parte order in both the cases were passed on 18.06.2025 (Annexure P-2) and 19.06.2025 (Annexure P-5).

Learned counsel for the petitioner, in the case at hand, has drawn the attention of this Court to Annexure P-10 i.e. a demarcation report got conducted by the present petitioner qua Khasra No.1519/1437/1324 and 1441/1325. From a perusal of the demarcation report dated 22.03.2025 (Annexure P-10), it is evident that sole respondent was present at the time of demarcation of the property of the present petitioner, however, no objection had been expressed by her at that particular point of time. Post-demarcation, fixed points were fixed to identify the property of the petitioner. Boundaries of the property owned by the petitioner were duly marked.

In the aforesaid facts and attending circumstances, the petitioner started construction in accordance with law on his property. Construction beyond the limits of their own property would have easily been identified and demonstrated to the learned trial Court.

In view of the aforesaid, impugned order dated 22.08.2025 (Annexure P-9), passed by the learned Civil Judge, Rajgarh, District Sirmaur, HP in Case No.88/6 of 2025, titled Sarita Vs. Ramesh Kumar, are ordered to be stayed, till further orders.

(Bipin C. Negi)
Judge

24th September, 2025
(Gaurav Rawat)