

Surender Lal Sood (since deceased) and others vs. Vijay Kumar Sood and another a/w connected matter

RSA No.277 of 2025 a/w RSA No.108 of 2026

RSA No.277 of 2025

06.05.2026 Present: Mr. Ashok Sood, Senior Advocate with Ms. Kanika Chauhan, Advocate, for the appellants.

Mr. Deepak Gupta, Advocate for respondent No.1.

RSA No.108 of 2026

Mr. Deepak Gupta, Advocate for the appellant.

Mr. Ashok Sood, Senior Advocate with Ms. Kanika Chauhan, Advocate, for respondents No.1(d) and 2.

RSA No.108 of 2026

Heard. Admitted on the following substantial questions

of law

1. Whether the findings arrived by both the Courts below are not sustainable and preverse in the eyes of law and is a result of overlooking and misreading of EX PW 9/A which was legally inadmissible and a void document?
2. Whether the land of the appellant/defendant having been demarcated prior to raising of construction by him on his land, as such, the subsequent demarcation having been conducted is contrary to the Chapter 10.1 and Rule 10.8 of the H.P. Land Records Manual and the notification No. Rev.B.A.(3-3/2012 Dated 16/07/2012) which bars a subsequent demarcation?
3. Whether a decree of mandatory injunction can be legally granted in favour of a plaintiff who admittedly had neither title nor possession over the suit land (Khasra No. 303) on the date of institution of the suit, and whether subsequent acquisition of title during pendency of the suit can cure such a foundational defect ?

Send for records.

List in due course.

CMP No.9023 of 2026 in RSA No.108 of 2026

It is ordered that during the pendency of appeal, both the parties shall maintain status quo qua nature, possession, alienation of the suit property. Application stands disposed of.

**(Romesh Verma)
Judge**

May 06, 2026
(vt)