

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>SA No.43 of 2024</p> <p><u>Hon'ble Siddhartha Sah, J.</u></p> <p>Mr. A.M. Saklani, Advocate for the appellant.</p> <p>The present second appeal is preferred against the judgment and order dated 16.01.2024 passed by the learned IInd Additional District Judge, Haridwar in Civil Appeal No.111/2019, Mange Ram vs. Angrej Singh and others, under Section 96 of the Civil Procedure Code, 1908, whereby the appeal of the respondent no.1 has been allowed and has set aside the judgment and decree dated 08.01.2018 passed by learned IVth Additional Civil Judge (Junior Division), Haridwar in O.S. No.18/12, Angrej Singh vs. Jasmer Singh and others.</p> <p>The present appeal emanates out of a suit filed by the plaintiff/appellant seeking cancellation of the sale deed dated 27.05.2002 in favour of defendant nos.1-3 on the premise that the defendant nos.1-3 failed to pay the promised sale consideration to the plaintiff.</p> <p>The suit was initially dismissed by the trial court, but in appeal, the same was remanded to the trial court. Upon remand, the suit was decreed vide <i>ex parte</i> judgment and order dated 08.01.2018. The said <i>ex parte</i> judgment and order which was challenged by defendant no.4 who was a subsequent vendee from defendant nos.1-3 vide Civil Appeal No.111 of 2019, Mange Ram vs. Angrej Singh and others, and the same has been allowed vide judgment and order dated 16.01.2024.</p> <p>The key questions which needs to be gone into for final determination of the</p>

second appeal would be whether the sale deed dated 27.05.2002 is liable to be cancelled and whether the suit of the plaintiff was barred by limitation.

Admit the instant second appeal on following substantial questions of law:-

- (i) Whether the sale deed dated 27.05.2002 is liable to be cancelled since the defendant nos.1-3 fail to pay the sale consideration to the plaintiff?
- (ii) Whether the suit of the plaintiff was barred by Limitation?

Issue notice to the respondents. Steps to be taken within 10 days.

Since the present second appeal is admitted and as to be decided on merits, hence, in the interest of justice, the respondent no.1 is refrained from creating any third party interest over the property in question till the next date of listing.

List this case on 19.06.2026.

Stay Application (IA No.1 of 2024) stands disposed of accordingly.

(Siddhartha Sah, J.)

15.04.2026

Ravi