

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>23.05.2025</u>		<p>CLR No.51 of 2025  <u>Hon'ble Alok Kumar Verma, J.</u>  The proposed Civil Revision has been filed challenging the order dated 20.03.2025, passed by learned Civil Judge, (Senior Division), Dehradun in Original Suit No.397 of 2024, by which, the learned Judge has dismissed the application of the proposed revisionists-defendants, filed under Order VII Rule 11 of the Code of Civil Procedure, 1908.</p> <p><b>2.</b> Heard Mr. Neeraj Garg, learned counsel for proposed revisionists.</p> <p><b>3.</b> Mr. Neeraj Garg, Advocate, submitted that the respondents-plaintiffs instituted the said suit with specific averments that there is a cloud on their title and the defendants are in possession of the property. They filed the said original suit for mandatory injunction, whereas the suit for declaration and possession should be filed.</p> <p><b>4.</b> Mr. Neeraj Garg, Advocate, has relied upon a judgment of the Hon'ble Supreme Court in "<b>Anathula Sudhakar</b></p>

**Vs. P. Buchi Reddy (Dead) by LRS. and Others", (2008) 4 SCC 594.**

**5.** As per the paragraph no.7 of the sale deed (annexure no.2), the suit land shall be under the care and supervision of the purchasers (revisionist no.1-defendant no.1 and K.N. Bhatt) and left for road widening of the purchaser and left for road widening and the said land shall remain open in future and shall be utilized only for road widening.

**6.** In the facts and circumstances of the case, it would be appropriate to grant an opportunity of hearing to the respondents-plaintiffs also, even before passing any order on Admission.

**7.** Notice is issued to the respondents by all the permissible modes including dasti, as prayed.

**8.** Steps to be taken within 24 hrs.

**9.** List on 17.06.2025.

**(Alok Kumar Verma, J.)  
23.05.2025**

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