

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>07.07.2025</u>		<p data-bbox="735 353 970 383">FA No. 126 of 2025</p> <p data-bbox="735 389 1257 421"><b><u>Hon'ble Alok Kumar Verma, J.</u></b></p> <p data-bbox="735 443 1528 1043">The proposed Appeal under Section 96 of the Code of Civil Procedure, 1908 has been filed by the defendant no.1 challenging the judgment and decree dated 30.05.2025, passed by learned Additional District Judge, Vikasnagar, District Dehradun in Original Suit No.117 of 2010, whereby the registered sale-deed dated 26.06.2006 has been cancelled and perpetual injunction has been issued.</p> <p data-bbox="735 1070 1528 1294"><b>2.</b> Heard Mr. Aditya Singh, learned counsel for the appellant and Mr. Piyush Garg, learned counsel for the respondent no.1 - plaintiff.</p> <p data-bbox="735 1321 1528 2056"><b>3.</b> Mr. Aditya Singh, Advocate, contended that the respondent no.2-defendant no.2 was the owner of the suit property. He executed a General Power of Attorney dated 28.11.1997 in favour of the father of the respondent no.1-plaintiff. The said General Power of Attorney was registered on 29.11.1997. On 05.12.1997, he revoked the General Power of Attorney by issuing a written notice through a registered post and UPC. Notwithstanding the revocation, the father of the plaintiff executed a registered</p>

sale-deed dated 07.03.2000 in favour of his son, the plaintiff. The respondent no.2-defendant no.2 executed a registered sale-deed dated 26.06.2006 in favour of the appellant. The appellant is the bonafide purchaser. The suit, filed in the year, 2010 to challenge the registered sale-deed of the year, 2006, is barred by limitation.

4. On the other hand, Mr. Piyush Garg, Advocate, submitted that as per the plaintiff, the registered General Power of Attorney was revoked through an unregistered letter. The information of revocation was never communicated to the power of attorney holder. The plaintiff purchased the suit property in the year, 2000 by paying the entire consideration.

5. Admit.

6. Original record is summoned.

7. List on 30.07.2025.

8. Having heard, both the parties are restrained to create any third party interest over the suit property till the date fixed.

9. Stay Application (IA No.1 of 2025) is disposed of accordingly.

**(Alok Kumar Verma, J.)**  
07.07.2025

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