

ITEM NO.12

COURT NO.17

SECTION III-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 397/2026

[Arising out of impugned final judgment and order dated 06-10-2025 in CMPMO No. 463/2022 passed by the High Court of Himachal Pradesh at Shimla]

TULSI RAM

Petitioner(s)

VERSUS

STATE OF HIMACHAL PRADESH & ANR.

Respondent(s)

FOR ADMISSION , IA No. 3717/2026 - EXEMPTION FROM FILING O.T.

Date : 19-01-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) Mr. Mudit Sharma, AOR
Ms. Nandini Sharma(gidwaney), Adv.
Mr. Abhishek Rathi, Adv.
Mr. Ritesh Dhyani, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Application for exemption is allowed.
2. Mr. Mudit Sharma, learned counsel appearing for the petitioner draws attention to the identification report (paper book page 76), demarcation report (paper book page 64) and statement of Anupam Kumar witness examined in civil suit no.2/1 of 2011 between the same parties. He also seeks to rely on photographs which are not on record. The contention is that these documents which are exhibits and depositions in civil

suit no.2/1 of 2011 on behalf of the State. Learned counsel for the petitioner submits that the prayer in the present suit namely civil suit no.90-1/2012 is only this much that if these documents are taken on record, it will clearly established that there was no unauthorized constructions in khasra no.151 which is the subject matter of the present suit. He vehemently contended that these are undisputed documents and it will help in efficacious disposal of the present suit.

3. Issue notice to the respondents, returnable on 27th February, 2026.

4. In the meantime, there shall be stay of further proceedings in suit no.90-1/2012 pending on the file of learned Civil Judge, Bilaspur, Himachal Pradesh.

5. Call on 27th February, 2026.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)