

C. I



Opening Sheet For Revenue Appeals

IN THE COURT OF THE S.D.M. cum Collector Nawanshahr/SBS Nagar

*Respect to file
and register the case
Summ. for separate
pleader for 22/09/11*

Appellate side Revenue Case No. 39- OF 19

District	Date of filling Pension	Whether received form Appellant in person, or by pleader of or Agent	Stamp on Pention of appeal
S.B.S. Nagar	-08-10	Appellant though; Sh. Gurdial Singh Advocate, Nawanshahr	Rs. 10/-

1. Swaran Singh s/o Umar Chand r/o V. Poonian, Teh. Nawanshahr Distt. SBS Nagar. & Others. Versus

1. Mohinder Kaur w/o Sh. Surinder Singh . 2. Kirpal Singh . 3. Ajaib Singh.

4. Kuldip Singh. 5. Balwinder Singh ss/o Gulzara Singh. 6. Kulwant Singh son of Rajinder Singh. 7. Balbir Kaur wd/o Rajinder Singh. 8. Mehanga Singh

9-Ranjit Singh. 10. Jagir Singh ss/o Mela Singh all rs/o Village Poonian

Teh. Nawanshahr Distt. Shaheed Bhagat Singh Nagar? 10. Ajit Singh S/O Sib, 12. Jarnail Singh, 13. Balvir Singh, 14. Shonki, 15. Jaswant Singh S/O Mehanga Singh,

16. Malkiet Singh, 17. Kulwinder Singh, 18. Lakhvir Singh S/O Satnam Singh,

19. Tara Singh S/O Karam Singh, 20. Surjit Kaur wd/o Gulzara Singh,

All residents of Village Poonian, Teh. Nawanshahr, Distt. SBS Nagar.

..... Respondents.

Appeal form the order of S. C. Ist Grade, Nawanshahr

Dated .. 30th .. Day of July

2010.

claim To set aside the order under appeal and to accept the appeal

with costs throughout.

ounds of appeal (translated) :- attached.

Grounds of appeal

1. That the order under appeal dt. 30-7-10 passed by the ld. lower Court of A.C.Ist Gradā, Nawanshahr is based upon the wrong assumptions and consideration.
2. That the ld. lower court has misunderstood the facts of the case and wrongly passed the order under appeal.
3. That the order under appeal is based upon conjectures and surmises.
4. That the order under appeal has no legal footing to stand on.
5. That the order under appeal is vague, uncertain and it is evident even from plain readings of the order itself.
6. That the order under appeal has effected the partial partition which is not admissikble in facts and law.
7. That the respdt/appellant has earlier raised objections upon the mode of partition as there was tempering with the papers of partition and also there was cutting on the prominent ~~papers~~ places on the partition papers as proposed by the ld. lower court accordingly the respdt/appellant raised objections to the abovesaid mode of partition and preferred an appeal before this hon'ble court vide application /grounds of appeal dated 18-05-09. and on the application moved by the appellant/respdt. the hon'ble SDM^{cum Assistant collector} Nawanshahr took notice of the irregularities and tampering with the partition Papers and cutting on the prominent places on the paper and consequentially the hon'ble SDM^{cum collector} ordered the enquiry into the aforesaid matter and also remanded the case to the ld. lower court for the decision afrssh on it.
8. That after the remand of the case, many times the case was adjourned to for effecting the orders of the SDM^{cum collector} Nawanshahr, but in reality nothing was done to

conduct the enquiry or to take action against the wround officials who have indulged into the malpractice of tampering with the partition papers. and the order of the hon'ble SPM Nawanshahr was not given any effect by the ld. lower court while deciding the case at hand.

9. That the order under appeal was passed in a hasty manner and vide doing this the ld. lower court has caused misserios miscarriage of justice to the respdt/applicant and has jeopardised the interest of the appellant/respdt.

10. That the ld. lower court has failed to appreciate the material evidence on the record while ;@sssing the order under appeal and thus, has acted with the grave negligence while passing the impugned order.

11. That the appeal is well wighintxtime.

Submitted by:- Haran Singh

Appellant/respondent

Through: Sh. Gurdial Singh Ad

Distt. Courts, Nawanshahr.

Dated: 6/9/10

HS

In the court of S.D.M., Cum Collector, Nawanshahr/SBS Nagar.



Swaran Singh son of Umar Chand R/O Vill. Poonian, Teh. Nawanshahr,
Distt. SBS Nagar and others.

..... Applicant

Versus

1. Mohinder Kaur W/O Sh. Surinder Singh, 2. Kirpal Singh, 3. Ajaib Singh,
4. Kuldeep Singh, 5. Balwinder Singh S/O Gulzara Singh, 6. Kulwant Singh
S/O Rajinder Singh, 7. Balbir Singh wd/o Rajinder Singh, 8. Mehanga
Singh, 9. Ranjit Singh, 10. Jagir Singh S/O Mela Singh, 11. Ajit Singh
S/O Siblu, 12. Jarnail Singh, 13. Balvir Singh, 14. Shonki, 15. Jaswant
Singh S/O Mehanga Singh, 16. Malkiet Singh, 17. Kulwinder Singh,
18. Lakhvir Singh S/O Satnam Singh, 19. Tara Singh S/O Karam Singh,
20. Surjit Kaur wd/o Gulzara Singh, All residents of Village Poonian,
Teh. Nawanshahr, Distt. SBS Nagar.

..... Respondents

(Application for staying the operation of imuged order
dt. 30-7-2010 passed by the court of A.C. Ist Gradd,
Nawanshahr till the decision of the appeal)

Sir,

The applicant/appellant humbly submits as under:-

1. That the above ~~said~~ noted appeal is filled in the hon'ble
court in which no date of hearing is fixed so far.

2. That the applicant has very good prima facie appeal and balance of convenience is also lies in favour of the applicant and there is every likelihood of the success of the appeal.
3. That the applicant will suffer an irreparable loss if the operation of the said order has not been stayed, which cannot be compensated in any manner.
4. That the averments made in the grounds of appeal may kindly be read as part and parcel of this application.
5. That issuance of notice be dispensed with as the matter is of an urgent nature.
6. It is therefore prayed that the operation of order dated 30.7.2010 passed the Hon'ble court of A.C. 1st Grade Nawanshahr may kindly be stayed till the decision of this appeal in the interest of justice.

Submitted by
Swarn Singh
(Appellant)
Through
Gurdial Singh Advocate
Nawanshahr.

Verification:-

Verified at Nawanshahr that the contents of the above paras of the application are true and correct to the best of my knowledge information & belief.

Swarn Singh (Appellant)

Through: Gurdial Singh Advocate Nawanshahr.

Handwritten signature in blue ink, possibly reading 'Gurdial Singh'.

Handwritten signature in blue ink at the bottom left corner.