

No. 19/2009
12/4/09
Opening sheet For Revenue Appeals

IN THE COURT OF THE ~~S.D.J.~~ Collector Nawanshahr



Appellate side	Date of filing	Whether received from Appellant in person, or pleader of or Agent	Revenue Case No.
District	Pension		
S.B.S.Nagar		Appellant through Sh. Sehajpal Dheeraj Sehajpal Advocate, Distt. Courts, Nawanshahr	Rs. 1.25 ps

Lakhbir Singh son of Kuldeep Singh r/o V. Sahlon Teh. Nawanshahr Distt. SBS Nagar.Appellant

Versus

Jaswinder Singh ^{Ch} Dhera Singh r/o V. Sahlon Teh. Nawanshahr distt SBS Nagar

Respondant

Appeal from the order of Sh. Bir Pal Singh PC's SDJM exercising the powers of Collector Nawanshahr

Distt. SBS Nagar dated 27-2-2009 day of

Claim To set aside the order and to accept the appeal with costs throughout.

Grounds of appeal (translated) :- attached.

4-2009 service record

Grounds of appeal:-

1. That the order dt. 27-2-2009 passed by the court of Shri Birpal Singh Assistant Collector Nawanshahr is against the facts, bad in the eyes of law and is liable to be set aside.
2. That the fact of the controversy can be composed in brief that Lakhbir Singh present appellant filed a civil suit in the court of Civil Judge, Nawanshahr which is still pending. The hon'ble civil court of Mrs. Priya Sood A.C.J. (SD) Nawanshahr was pleased to direct to the parties to maintain status quo vide order dt. 25-2-2008. The appellant has ~~shown~~ sought declaration that Lakhbir Singh is in possession of the entire suit land measuring 25 Marlas and thereby the appellant is also challenged the entry in the revenue ~~court~~ record mentioning Ajit Singh as owner being wrong void nonest in consistant with the actual facts so the ownership of Ajit Singh vendor of Jaswinder Singh is still under fire.
3. That Jaswinder Singh vendee has allegedly purchased 8 Mls. of land from Kh.No. 134(1-0) and ~~289~~ 289(0-15) from Ajit Singh vide sale deed dt. 18-8-2008. Jaswinder Singh vendee has filed the present mutation proceedings on the basis of sale deed dt. 18-8-08.
4. That the mutation on the basis of alleged sale deed dt. 18-8-2008 is liable to be rejected due to reason that sale deed is void, nonest, in-operative and unlawful. There was a wrong entry in the revenue record of Ajit Singh alleged vendor of sale deed has no share in the property in Kh.No. 134 & 289. Nor Ajit Singh vendor was in possession of any part of above-mentioned land. Even the suit filed by Ajit Singh against Sarwan Singh Objector was dismissed by the ld. court of Sh. V. K. Goyal C.J. (SD) Nawanshahr regarding the property in dispute vide judgement and decree dt. 19-11-2007, ~~copy~~ attached. So Ajit Singh has no right whatsoever in the property in dispute, nor had any saleable right in the same as he was not owner of the property in dispute.
5. That so much so, that Lakhbir Singh ~~objector~~ objector even filed another suit for declaration against Ajit Singh &

Jaswinder Singh and others seeking declaration that Lakhbir Singh objector is in possession of 20 Mls. of suit land and Searan Singh is owner in possession of 10 Mls. out of suit land and remaining land is also in possession of Lakhbir Singh. So Ajit Singh was neither owner nor in possession of any part of suit property in dispute.

6. That the 1d. lower court below has wrongly relied upon the citations which does not suit to the facts of the matter in dispute.

It is, therefore prayed that the order under appeal may kindly be set aside and the appeal may kindly be accepted in the interest of justice.

XEROX / nm

Submitted by:-

Appellant.

Through: Sh. Dhiraj Sehajpal Adv.

Distt. Courts, Nawanshahr.

Date d: 15/4/09

Uma Shankar
Adv.

Uma Shankar
Advocate.

[Signature]