

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

SPECIAL LEAVE PETITION (CIVIL) Diary No. 14647/2017

(Arising out of impugned judgment and order dated 02-09-2013 in RSA No. 25/2012 and 13-07-2016 in RP No. 63/2016 passed by the High Court of Himachal Pradesh at Shimla)

JOGINDER KUMAR

Petitioner(s)

VERSUS

HEM RAJ & ORS.

Respondent(s)

(IA No.90940/2019-CONDONATION OF DELAY IN FILING and IA No.90942/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.90939/2019-DISCHARGE OF ADVOCATE ON RECORD and IA No.90941/2019-CONDONATION OF DELAY IN REFILING)

Date : 06-04-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Sanjeev Sharma, Adv.
Mr. Shekhar Kumar, AOR
Mr. R. C. Kaushik, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

Heard Mr. Sanjeev Sharma, the learned counsel appearing for the petitioner.

The counsel would request for further adjournment although time was earlier granted by this Court on 14.03.2023.

We have read the case records and find that the petitioner's suit was not entertained by the trial court who declared defendant Nos. 4 to 32 as the original owners of the property. This view of

the trial court was upheld by the First Appellate Court as also by the High Court which dismissed the second appeal filed by the plaintiff. Considering the reasoning of the Courts, we see no infirmity with the impugned order. The Special Leave Petition accordingly stand dismissed.

Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
COURT MASTER (SH)

(KAMLESH RAWAT)
ASSISTANT REGISTRAR