

- 8 APR 2003

IN THE COURT OF CIVIL JUDGE (S.D.) D.DUN

Misc 115/03  
O.S. NO. 252 OF 2003

Shri Balbeer Singh s/o Late Sh. Harbans Singh r/o  
103 Race Course, Dehradun.

.....Plaintiff

VERSUS

1. Sh. Surjeet Singh s/o Late Sh. Harbans Singh r/o 34 Rajpur  
Road, Dehradun.

2. Sh. Manjeet Singh s/o Late Sh. Harbans Singh r/o 14 Mohini  
Road, Dehradun.

3. Sh. Ranbeer Singh s/o Late Sh. Harbans Singh r/o 149 C Race  
Course Dehradun.

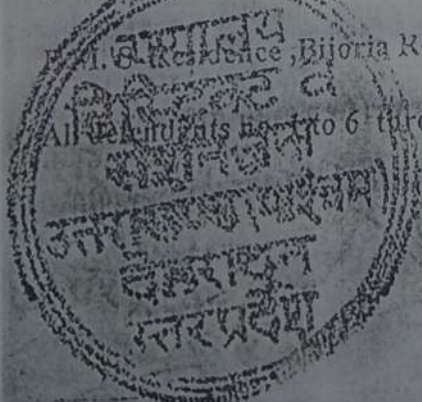
4. Sh. Devender Pal Singh s/o Late Sh. Harbans Singh r/o 14/12  
Race Course Dehradun.

5. Smt. Jaswinder Kaur w/o Sh. Kulwant Singh d/o Late Shri  
Harbans Singh P/O B-6 1219 Gul Chaman Gali, Division III  
Ludhiyana (PUNJAB).

6. Smt. Jastinder Kaur w/o Sh. Mohinder Singh d/o Late Sh.  
Harbans Singh 1355/18 New Bhagat Singh Colony, near

A. G. Residence, Bijoria Road, Saharanpur.

All Defendants no. 1 to 6 through their attorney Sh. Jasbeer



*[Handwritten signature]*

- 8 APR 2003

Singh s/o Late Sh. Harbans Singh r/o 103 Race Course D.DUN

7.Sh. Jasbeer Singh s/o Late Sh. Harbans Singh r/o 103

Race Course D.Dun.

Defendants

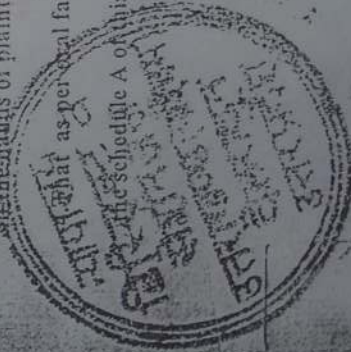
Sir,

Plaintiff begs to submit as under :

1. That late Sh. Harbans Singh and late smt. Amrit Kaur alongwith defendant no. 7, 4, 3 and plaintiff formed a joint Hindu Family.
2. That out of the Joint family funds, various properties were purchased in the name of members of joint family and a plot bearing no. 103, Block C, Race Course D.DUN was purchased in the name of Smt. Amrit Kaur w/o Sh. Harbans Singh vide sale-deed dtd. 9.12.1988 by utilising the funds of joint hindu family and a double storeyed house was constructed on the aforesaid plot by utilising the funds of joint hindu family.

3. That as per oral family settlement of the aforesaid joint hindu family the property described in schedule A of this plaint came in the hands of plaintiff and defendant no. 7.

That as per oral family settlement the property described in the Schedule A of this plaint was duly mutated in the names of





8 APR 1983

plaintiff and defendant no. 7 and defendant no. 1 to 6 had filed no objection for this since as per aforesaid oral family settlement they have no share in the aforesaid property but since defendant no. 1 to 6 are the legal heirs of late sh. Harbans Singh and Late Smt. Amrit Kaur hence they are being impleaded as necessary parties, though no relief is sought against them.

3/4

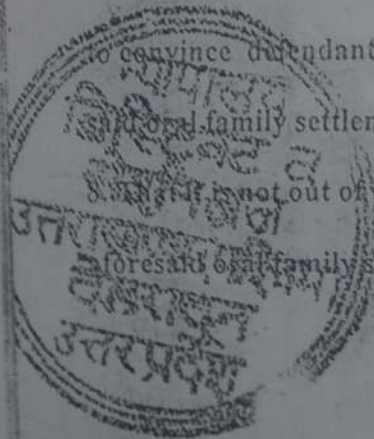
5. That in the aforesaid oral family settlement, it was also settled that plaintiff has become the owner of ground floor of the property mentioned in schedule A of this plaint, more fully described in the schedule B of this plaint and defendant no. 7 has become the owner of the 1st floor of the property described in the schedule A of this plaint, more fully described in schedule C of this plaint.

6. That since few days, defendant no. 7 is challenging the aforesaid family settlement and is denying the title of plaintiff regarding the property described in the schedule B of this plaint.

7. That plaintiff and other respected persons of the family tried to convince defendant no. 7 that he should honour the afore-

mentioned oral family settlement but defendant no. 7 is adamant.

It is not out of place to mention here that as per the aforesaid oral family settlement the property described in the



*[Handwritten signature]*

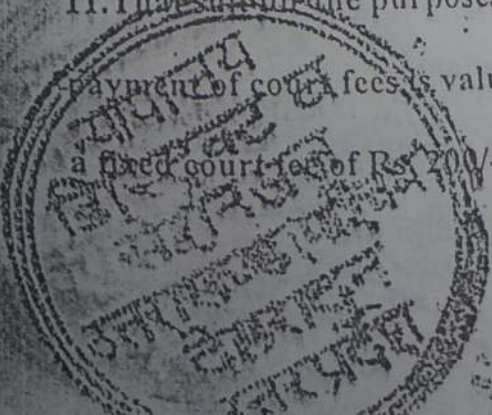
1-8 M 2003

schedule A of this plaint has been mutated jointly in the names of plaintiff and defendant no. 7 in the records of Nagar Nigam Dehradun, after deleting the name of Late Smt. Amrit Kaur.

9. That due to the aforesaid act of defendant no. 7 the rights of plaintiff regarding the property described in schedule B of this plaint have been clouded and it has become necessary for plaintiff to get a declaratory decree from the Hon'ble court regarding his rights, hence this suit.

10. That cause of action for the present suit arose on 12.7.2002 when the property described in schedule A was duly mutated in the names of defendant no. 7 and plaintiff and few days back when defendant no. 7 challenged the oral family settlement by which plaintiff became owner of the property described in schedule B of this plaint and defendant no. 7 became the owner of the property described in schedule C of this plaint and still accruing in the jurisdiction of Hon'ble Court where the parties to the suit are residing and where the property in dispute is situated hence the Hon'ble Court has jurisdiction to hear the present suit.

11. That for the purposes of valuation, jurisdiction and payment of court fees is valued at Rs. 10,00,000/- on which a fixed court fee of Rs. 200/- is being paid.





8  
- 8 APR 2003

2. That it is in the interest of justice that a decree of declaration be made to the effect that the plaintiff is the owner of the property described in the schedule B of this plaint.

3M  
6

It is therefore prayed that the Hon'ble Court be pleased to pass the following relief in favour of plaintiff :

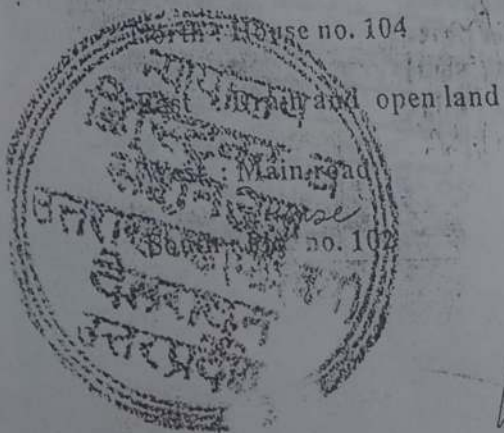
A. That a decree of declaration be passed in favour of plaintiff to the effect that plaintiff is the owner of the property described in schedule B of this plaint;

B. That any other or further relief which the Hon'ble Court deems fit and proper be also awarded in favour of plaintiff;

C. Full costs of the suit be also awarded in favour of plaintiff and against defendant no. 7.

SCHEDULE " A "  
\*\*\*\*\*

All that property bearing no. 103 , Block C , Race Course new no. 108/98 Govind Nagar I st D. Dun , having plot area of 322.86 sq. mtrs. , consisting of a double storeyed house bounded and butted as under :



17-8 APR 2003

SCHEDULE " B "  
\*\*\*\*\*

All that ground floor of the property mentioned in schedule A

SCHEDULE " C "  
\*\*\*\*\*

All that First floor of the property mentioned in schedule A

plaintiff

I the abovenamed plaintiff do hereby verify that contents  
of the above plaint from para 1 to 9 are true to my  
personal knowledge and those of paras 10 to 12 are  
based on legal advice which I believe to be true.

verified this on 24.3.2003 at D.DUN.

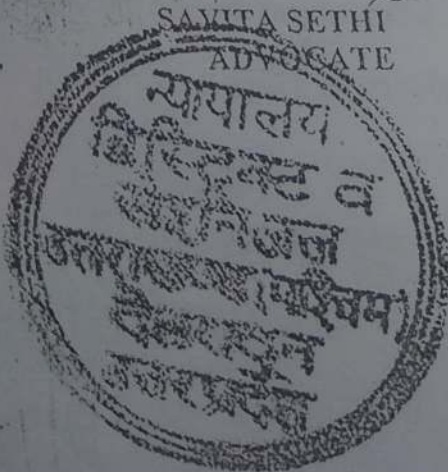
plaintiff

DATE: 24.3.2003

DEHRADUN

PRESENTED BY :

SAYITA SETHI  
ADVOCATE



सत्य प्रतिलिपि

मुख्य प्रतिनिधिकार  
प्रतिलिपि विभाग (सिविल)  
अनपद न्यायालय, देहरादून

8/8/03

CANCEL

CANCEL



Duplicate

9 JUL 2003

न्यायालय - सिविल जज (सी. डी.) देहरादून

O.S. No. 252/03

डी. कलकी सिंह vs सुरजीत सिंह व अन्य

संलग्न पत्र - समझौता मय नवशा

Savitri Sethi (Adv.)

न्यायालय का नाम \_\_\_\_\_

म. व. न. सं. क्र. व दिनांक 29.7.03

न्याय सुलभ \_\_\_\_\_

वध \_\_\_\_\_

गोप्य होने का दिनांक 29.7.03

विवरण देने का दिनांक 2.8.03

यहां प्रत्यक्ष कार्य निष्पन्न \_\_\_\_\_





IN THE COURT OF CIVIL JUDGE (S.D.) DEHRADUN

O.S.NO. 252 OF 2003

Sh. Paltbeer Singh Vs. Surjeet Singh & others

Sir,

Parties to the suit have compromised as under :

1. That Plaintiff will be the owner of the property described in schedule B of the plaint, shown in GREEN Colour in the annexed map.
2. That defendant no. 7 will be absolute owner of the property described in schedule C of the plaint, shown in RED colour in the annexed map.
3. That the area shown in YELLOW colour in the annexed map will remain common between plaintiff and defendant no. 7 and both will have right to use the same as common place.
4. That the parties to the suit shall their own costs.

  
PLAINTIFF



DEFENDANT NO. 7  
For self and as attorney of  
Defendant no. 1 to 6

Identified By:

Identified By:

  
SAVITA SETHI  
ADVOCATE

  
VIREESH MATHUR  
ADVOCATE



23.7.2003  
DEHRADUN  
PRESENTED BY:  
SAVITA SETHI  
ADVOCATE

At for 24/8/03





CANCELLED



CANCELLED

300/-

29 MAR 1903

RECEIVED BY THE POST OFFICE  
 29 MAR 1903 (C.S. No. 207/03)

RECEIVED BY THE POST OFFICE

Savitri Soffi (ad)

307/03 - 7-03

5  
 1903

21-8-03 (C.S. No. 207/03)

21-8-03

18/03

