

**SANJU KUMAR
VS
MANDEEP SINGH AND OTHERS**

Present: Mr. Dhirinder Chopra, Advocate
for the appellant.

Mr. B.S. Bhalla, Advocate
for respondents.

Mr. Anil Bansal, DAG, Punjab.

1. These two connected execution second appeals have been filed by Sh. Sanju Kumar, who is brother of judgment debtor Sh. Gulshan Kumar. As per the site plan (Annexure A-2) (page 42 of the paperbook), the plot is divided in three separate portions. The Eastern side of the property is shown to be belonging to Sh. Gulshan Kumar, which measures 25 feet X 28 feet, whereas, middle portion is shown to be owned by Sh. Rajinder Kumar, which measures 25 feet X 30 feet. The property on Western side of the property is shown to be in possession of Sh. Sanju Kumar, which measures 25 feet X 28 feet. The appellant Sh. Sanju Kumar claims that the entire plot fell to his share and he has constructed his house. In other words, Sh. Sanju Kumar claims that he along with his family is residing in the property and the families of Sh. Gulshan Kumar and Sh. Rajinder Kumar do not reside in the same.

2. Keeping in view the aforesaid facts, Deputy Commissioner, Moga, is directed to depute the Tehsildar of the area to visit the property, which is located in the area of Channu Wala, Street No.10, Village Baghapurana, District Moga, and submit a report about the following:-

- i. Whether the property is in the shape of three separate houses or one?

- ii. What is the status of Eastern portion of the plot measuring 25 feet X 28 feet?
3. Learned State Counsel has been directed to click a photograph of the layout plan for forwarding it to the Deputy Commissioner.
4. List on 27.03.2025, in the urgent list.
5. A photocopy of this order be placed on the file of the other connected case.

March 25, 2025

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**(ANIL KSHETARPAL)
JUDGE**