

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

FAO No. 154 of 2014

Date of decision: 20.08.2026

Bhupender

.....Appellant

Versus

Jagdish

....Respondent

Coram

The Hon'ble Mr. Justice Sushil Kukreja, Judge.

¹ *Whether approved for reporting?*

For the appellant:

Mr. Sanjeev Kuthiala, Senior Advocate with Ms. Tamanna Sharma and Ms. Preeti Thakur, Advocates.

For the respondent:

Mr. Ajay Sharma, Senior Advocate with Mr. Tarun Brakta, Advocate.

Sushil Kukreja, Judge

The present appeal has been filed by the appellant, who was defendant before the learned trial Court, against the judgment dated 03.04.2014, passed by learned District Judge, Bilaspur, H.P., in Civil Appeal No. 55 of 2013, whereby, appeal filed by the appellant (respondent herein) was allowed and the case was remanded back to the learned

¹ *Whether reporters of Local Papers may be allowed to see the judgment?*

trial Court for decision afresh.

2. I have heard the learned Senior Counsel appearing on behalf of the appellant, learned Senior Counsel appearing on behalf of the respondent and have also gone through the material available on record, carefully.

3. With the consent of learned Senior Counsel for the parties, judgment dated 03.04.2014, passed by learned First Appellate Court is set aside and the case is remanded back to the learned trial Court for adjudication afresh with a further direction that it will appoint fresh Local Commissioner, preferably Tehsildar Sadar, District Bilaspur, H.P., in order to conduct the demarcation of the suit land afresh and then afford reasonable opportunity to the parties to file objections against the said report. The learned trial Court shall further proceed to dispose of the suit on merits by affording reasonable opportunity of being heard to the parties and to lead evidence, if the parties so desire.

4. Since the suit pertains to the year 2007, the learned trial Court is directed to decide the case as

expeditiously as possible and in any event not later than **31.12.2026**. Parties are directed to appear before the learned trial Court on **15.09.2026**.

5. Learned Registrar (Judicial) shall ensure that the entire record be remitted to the learned trial Court forthwith.

6. The appeal is disposed of in above terms, so also pending application(s), if any.

(**Sushil Kukreja**)
Judge

20th August, 2026
(raman)