

**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**

**Mrs Justice McGowan DBE**

**BETWEEN:**

**Sham Pal Sood**

**Claimant/Applicant**

**-and-**

**Vishal Sood**

**Defendant/Respondent**



KB-2023-001609

**UPON the claimant's ex parte application notice dated 5 April 2023**

**AND UPON considering the papers filed by the claimant**

**AND UPON hearing the claimant in person.**

**It is ordered that**

- 1. This matter be heard on notice on 18 April 2023, with a one hour time estimate.**
- 2. Any proposed sale of the properties in question, listed below, be stayed pending that hearing.**

**7, Hoveton Way, Oakwood Gate, Ilford IG6 2GP,  
13 Spectrum Tower, Hainault Street, Ilford IG1 4GZ  
86, City View, Centreway Apartment, Ilford IG1 1NH**

**3. The claimant to effect service on Vishal Sood, directly or through his solicitors.**

**4. Costs in the case.**

**Dated this 5th day of April 2023**

EUSTACE FORJOUR  
Chambers Director  
at 3 BOLT COURT  
CHAMBERS  
FLEET STREET, ECHA  
3DQ

APRIL 2023

Court Ref.

BO180837

and KB - 2023 - 001609

Payment of £1250

Payment of £550

received

total : £1500 + VAT  
= £1800

Eustace Forjour

30 ELY PLACE  
EC1N 6TD  
FARRINGDON OR  
CHANCERY LANE

~~EF~~

# 3 Bolt Court Chambers

3 Bolt Court | Fleet Street | London | EC4A 3DQ

T : 020 3745 3150 | M : 07783 904 770 F : 020 3137 5001 E : clerks@3boltcourt.com W : www.3boltcourt.com

NEW ADDRESS  
30 ELY PLACE  
CHANCERY LANE, EC1N  
\* 6TD



Professional Fees of :

Mr Sami Ur Rahman

Mr Sham Pal Sood  
114 Park Lane, Hornchurch Essex  
RM11 1BE

17/18/4/2023 Tel.

Vat No : 837 1907 12  
Legal Aid Number : 092MM

Our Reference : Inv-414-006981

Sham Pal Sood - and - Vishal Sood

Court : BY EMAIL

Court Ref No : B01B0837 / KB-2023-001609 S. Sood - v - V. Sood

Date : 18-04-2023

Case Type : Civil

Funding Type : Direct Public Access

Date	Description	Amount	Vat	Total
17-04-2023	DEPOSIT Holding Account. Thank You   Paid By : Bank Transfer	- £ 1,041.67	- £ 208.33	- £ 1,250.00
17-04-2023	DEPOSIT Holding Account. Thank You   Paid By : Bank Transfer	- £ 458.33	- £ 91.67	- £ 550.00
18-04-2023	SKELETON & APPLICATION APPLICATION HEARING ( Including Drafting Skeleton Argument & Remote Conference )	£ 1,500.00	£ 300.00	£ 1,800.00
18-04-2023	CLAIM DRAFTING PARTICULARS OF CLAIM	£ 1,000.00	£ 200.00	£ 1,200.00
Total Outstanding		£ 1,000.00	£ 200.00	£ 1,200.00

PLEASE MAKE PAYMENT BY BANK TRANSFER TO:

Name: 3 Bolt Court Chambers  
Account Number: 12225549  
Sort Code: 40-06-29

Please quote the full name of the client when making payment. Thank You.

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If making payment by cheque, please address the name on it to 3 BOLT COURT CHAMBERS

**KB-2023-001609**

**IN THE HIGH COURT OF JUSTICE**

**KING'S BENCH DIVISION**

**BEFORE THE HON. MRS JUSTICE HEATHER WILLIAMS DBE**

**18 APRIL 2023**



**KB-2023-001609**

**BETWEEN :-**

**SHAM PAL SOOD**

**Applicant / Claimant**

**-AND –**

**VISHAL SOOD**

**Respondent / Defendant**

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**ORDER**

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**UPON** the Applicant's application notice seeking an injunction preventing the Respondent from selling properties known as 7 Hoveton Way, Oakwood Gate, Ilford IG6 2GP, 13 Spectrum Tower, Hainault Street, Ilford, IG1 4GZ and 86 City View, Centreway Apartment, Ilford IG1 1NH ("the three properties")

**AND UPON** the without notice injunction granted by Mrs Justice McGowan dated 5 April 2023 staying any proposed sale of the three properties until the return date hearing on 18 April 2023

**AND UPON** the further documents submitted to the Court by the Applicant under cover of letters dated 11 and 14 April 2023

**AND UPON** hearing Mr Rahman, Counsel for the Applicant

**AND UPON** the Respondent not attending the return date hearing or otherwise communicating with the Court in relation to the same

**AND UPON** the Court not being satisfied that the Defendant has been properly served with the order dated 5 April 2023 and/or notified of today's hearing

**AND UPON** the Applicant accepting that he has not thus far filed a claim form in relation to these proceedings

**AND UPON** the Applicant undertaking to file a claim form in these proceedings by 4pm on 20 April 2023

**AND UPON** the Court giving an oral judgment at the hearing on 18 April 2023, indicating that the stay would be extended only until 4pm on 21 April 2023

**IT IS ORDERED THAT:**

1. The stay of the sale of the properties provided for in paragraph 2 of the order dated 5 April 2023 is extended until 4pm on 21 April 2023.
2. If the claim form is not filed in accordance with the undertaking referred to above by 4pm on 20 April 2023 the stay will lapse.
3. No order as to costs.

**REASONS:**

1. As indicated in more detail in the Court's oral judgment, there are a number of reasons why I am not prepared to grant the relief sought. In short, I am not satisfied that the Respondent has been properly notified of this hearing; no proceedings have been started in circumstances where the criteria in CPR 25.2(2) does not appear to be met, at least by the time of this hearing; the causes of action are unclear; and there have been County Court proceedings regarding the sale of these three properties (B01BO837) ongoing for a number of years and no sufficient explanation has been provided as to why the 5 April 2023 application was not brought in those proceedings or, if they were at an end (although I have been shown no order to that effect) new proceedings were not issued in the County Court that was already familiar with the previous litigation and had access to the orders made. I am also concerned that it appears that the Applicant has only given the Court a partial account of relevant matters, in particular in relation to the County Court proceedings.
2. However, appreciating that simply discharging the injunction at this stage could cause irrevocable prejudice in circumstances where the picture before me is less than clear, I have

been persuaded to extend the injunction granted on 5 April 2023 for a very limited basis, in order to enable the Applicant to make an application for relief in the County Court proceedings (if still ongoing) / to the County Court that heard those proceedings. I made clear in my oral judgment that I do not envisage the extension that has been granted extending beyond 21 April 2023 or there being a need for a further hearing before this Court.

3. I have also made provision for the position to be regularised in terms of the issue of a claim form in these proceedings.

18 April 2023



**Claim Form  
(CPR Part 8)**

In the

K.B. Division

Claim no.

KB-2023 001609

Fee Account no.

Help with Fees -  
Ref no. (if applicable)

HWF-ZVB-BVI

Claimant

SIAM PAL SOOD  
c/o 114 PARK LANE  
HORNCHURCH  
RM11-1BE



KB-2023-001609

Defendant(s)

VISHAL SOOD  
86 CITY VIEW, AXON PLACE  
ILFORD, IG1-1NH

Does your claim include any issues under the Human Rights Act 1998?  Yes

No

Details of claim (see also overleaf)

Defendant's  
name and  
address

VISHAL SOOD  
86 CITY VIEW  
AXON PLACE  
ILFORD, IG1, 1NH

Court fee

£

Legal representative's  
costs

Issue date

19/4/23

For further details of the courts [www.gov.uk/find-court-tribunal](http://www.gov.uk/find-court-tribunal).

When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.



Claim no.

Details of claim (continued)

Please see enclosed.

SHAM PAL SOOD  
c/o 114 PARK LANE  
HORNCHURCH  
RM 11 — 1BE

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

MISS ANALISA

KB-2023-001609  
Previously my CLAIM WAS WITH

Now CLAIM IS WITH

MASTER ARMSTRONG  
0203-936 8957 X4

DIRECTION ON I.T.

Issues and enquiries.

→ KB enquiries @ justice.gov.uk  
and ask for copy of my claim form  
SUBMITTED on 19/4/23 and Ceiled/Stamped on 20/4/23

How much cost for the copy.

Also Email sent to Davis Solicitors on  
12/10/23 regarding K.B. Division  
Documents received on 17/7/23 were dealt with VISUAL  
To Reply in 14 Days

Case no: KB-2023-001609

**IN THE HIGH COURT OF JUSTICE**  
**(KING'S BENCH DIVISION)**

**BETWEEN :-**

**SHAM PAL SOOD**

**Claimant**

**-AND -**

**VISHAL SOOD**

**Defendant**

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**PARTICULARS OF CLAIM**

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1. The Claimant is the beneficial owner of the following properties (the properties):-
  - a) 7 Hoverton Way, IG6 2GP.
  - b) 13 Spectron Tower, IG1 4GZ
  - c) 86 City View, Centreway Apartment, IG1 1NH
2. The Defendant is the Claimant's son and hold the freehold absolute titles for the said properties. The beneficial interest were created by deed.
3. The Defendant bought claim no B01B0837 in the then Bow County Court; seeking sale of the properties on the open market, with the Claimant being released from the mortgages on the said properties, from proceeds of sale.
4. By an order dated the 24 September 2015, District Judge Pigram ordered the properties be placed for sale on the open market by consent.

5. By a further order dated 8<sup>th</sup> July 2017, District Judge Bell made a further order varying the order of the 24<sup>th</sup> September in case no BO1BO837. This provided that the Defendant (the Claimant in these proceedings should have conduct of the sale) and that sale of the properties shall take place within 7 months.
6. By a further order dated the 17 December 2017 made by his HHJ Latham in B01O837, the Claimant's application to suspend his eviction from the properties was dismissed and permission to appeal was refused.
7. By a further order 11<sup>th</sup> Sept 2018. District Judge Manners sitting Clerkenwell County Court in case B01O837. As result of the properties not having been sold by the Claimant and the Claimant not having obtained or cooperated with the Defendant in respect of the obtaining agreed valuations. As a result on the Defendant's Mr Vishal Sood's valuations, it was ordered that, the Defendant Mr Vishal Sood now have conduct of the sale and that the properties were to be sold for not less than the following figures:-

13 Spectron Tower, IG1 4GZ, for not less than £280,000

7 Hoverton Way for not less than £666,000

86 City view for not less than £305,000.

8. At all material times the Claimant held the properties on trust for the Defendant. The Claimant owed and owes the Defendant duties under common law and under the Trustees Act 2000.
9. It is inter alia and express or implied duty of the Claimant to
  - a) 'Sell the properties at their True market value'
  - b) Sell 'the best price reasonably obtainable'

and

c) 'a proper price Together with the duty to take reasonable steps to obtain the best price reasonably available.

10. The Claimant made the following offers to buy the said properties in or about March 2023.

a) £924,000 in respect of 7 Hoverton Way, IG6 2GP.

b) £370,000 in respect of 13 Spectron Tower, IG1 4GZ

c) £400,000 in respect of 86 City View, Centreway Apartment, IG1 1NH

11. The Defendant refused these offers by way of an email to the estate agents dated the 13<sup>th</sup> March 2023. In breach of the aforesaid duties and the providing no rationale for same, the Claimant having provided proof or mortgage offers and the despite being provided by a formal transfer of equity to the Claimant and being subject to a valuation in the normal way. The Claimant understands that the offers he made to purchase the properties amounted to the "realistic best obtainable price".

12. Further in breach of the said duties the Defendant owes the Claimant as a Trustee, the Claimant understands that the Defendant is proposing to sell 7 Hoverton Way, IG6 2GP, to another prospective buyer for a sum in the region of £666,000. This despite the Defendant being aware that the value of the 7 Hoverton Way has or would have increased significantly since 2018 and the order of District Judge Manners. Mr Vishal Sood appears to be attempting to sell the properties at process based on valuations that are some 5 years old, is in part the Claimant's concern.

13. The Claimant made an application for ex parte injunction to this court on injunction staying any sale of the properties on the 5<sup>th</sup> April 2023, made by Mrs Justice McGowan DBE. This case then came before Mrs Justice Williams on the 18<sup>th</sup> April, with the injunction being extending to 4pm Friday the 21<sup>st</sup> April 2023, on the condition that this claim is issued by 4pm on the 20<sup>th</sup> April 2023. These brief particulars are filled pursuant to the order of the 18<sup>th</sup> April 2023.

14. The Claimant accepts that this claim once issued should be transferred either to the Central London County Court or Clerkenwell Court, wherever claim BO1BO837 has now been transferred to from Bow County Court.

15. As a result of the aforesaid the Claimant has suffered loss and damage.

- 1.1. The loss of the opportunity to buy the said properties.
- 1.2. The loss of the in the region of potentially £250,000 if the Defendant's proposed sale of 7 Hoverton Way is allowed to proceed.
- 1.3. The Claimant's primary remedy are injunctions and a declaration so that the Claimant is currently not seeking damages, so there is no value for the damages to be claimed in respect of issue fee and allocation.

AND the Claimant claims:

- (1) A Declaration pursuant that the Claimant retains all the beneficial interest in the properties.
- (2) An order suspending or prohibiting sale of the properties until the Claimant offer for sale has been considered and cogent reasons given as to why the Defendant is not will to proceed with the sale of the properties to the Claimant.
- (3) In the alternative; an order requiring the Defendant to sell the properties to the Claimant at their true market value.
- (4) An order requiring there to be updated valuations of the properties and sale at a fair market value be for not less these valuations if the court is perused that the Defendant's reasons for not selling the properties to the Claimant as proper and sustainable.
- (4) Damages to be assessed if the sale of 7 Hoverton Way has already been completed.
- (4) Further or other relief;

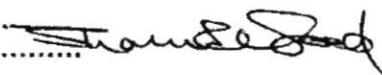
(5) Costs.

My Barrister: Mr. Sami Rahman

20<sup>th</sup> April 2023.

I believe that the facts stated in this particular of claim are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Name: **SHAM PAL SOOD**

Signed.....

Dated: 20<sup>th</sup> April 2023

Re: All 3 properties details given below.

→ From: Sham Sood (spsilford@yahoo.com) *From Sham Sood, dated 29/4/23 at 09.49\**  
To: michelle.jackson@lestercampbell.co.uk; sales@lawlors.co.uk; edward.w.ellis@gmail.com;  
lotusprincess4u@gmail.com; customersupport@mail.landregistry.gov.uk; shamma.kambo@taylorlegal.com;  
spsilford@yahoo.com

→ Date: Saturday, 29 April 2023 at 09:49 BST \*

Property A: 7 Hoveton Way, IG6 2GP

B: 13 Spectrum T. IG1 4GZ

C: 86 City View IG1 1NH

I have been saying via emails to all 3 involved parties for the past 4 months that I am the buyer for all the above 3 properties with 75% Loans & 25% Equity gift deposits.

All 3 of the parties never agreed to sell the said properties back to Me deliberately by ignoring The 2nd restriction charge registered at Land Registries on all 3 properties.

You may sell any of the properties to other people only if I give You My consent to sell, otherwise all of you 3 parties will face unlimited penalties + many other losses to be order via High Court due to on going claim n208 in place with full breakdown list.

Regards  
Sham Pal Sood  
07407003799  
spsilford@yahoo.com



Most Urgent

From

SHAM SOOD

C/O 114 PARK LANE

HORNCHURCH

Essex, RM11 - 1BE

23/6/2023

To

~~KB~~ K.B. Division, RCJ.  
London

Ref. KB2023001609

SHAM P. SOOD - V - VISHAL SOOD

Please find 3 sets of My  
Witness Statement dated  
23/6/2023

Kind Regards  
Yours Sincerely  
Sham P. Sood

WITNESS STATEMENT BY MR SHAM SOOD, BENEFICIARY  
REQUESTING REMOVAL OF TRUSTEE MR VISHAL SOOD  
FROM FAMILY'S "BINA TRUST"

23/6/23

By PETITION In Claim: KB2023 001609

Sham Pal Sood

V

Vishal Sood

in the Kings Bench Division of the High Court,  
Royal Courts of Justice, London,

Further to the ongoing court proceedings,  
see attached,

I, Sham Sood, of no fixed abode, c/o 114 Park Lane, Hornchurch, RM11 1BE, am a Beneficiary of Bina Trust, a Memorial Trust for my late wife, who sadly died, unexpectedly, due to Medical Negligence on 8th April 1996, leaving me with 4 children to look after, aged 3 to 17. I used the compensation to set up the Trust for the future of the Sood family, my four children and 6 grandchildren.

I, as Petitioner, hereby give this Witness Statement in support of my petition to Court, for the removal of Mr Vishal Sood, my second born and second son, as Trustee, from Bina Family Trust, on grounds of Fraud, Theft, Deception and Money Laundering as detailed herein.

The details of Vishal's failure in his Trustee duties is subject of ongoing court proceedings in KB 2023 001609 in which I am the Claimant and Vishal is the Defendant. I request the removal of Vishal as Trustee with immediate effect by a review of the Order dated 18 April 2023, in the Interests of Justice, so that I may take control of the Bina Trust to reduce future losses.

Mr Vishal Sood has acted outside the duties of a Trustee, putting his interests in conflict with the interests of the Bina Trust and his three siblings;

1. Misappropriating trust assets of all three "Buy to Let" properties within the Bina Trust, by the secret forced, removal of tenants, using a fraudulent instrument on 23 December 2022 at 2 Bed flat 13 Spectrum Tower, Ilford, IG1 4GZ, causing loss of rent of £1600 per month to date and ongoing;

Pages 1-2

2. By the same conduct in 1. Above at the 2 bed flat at 86 City View, Ilford, IG1 1NH, which he has occupied rent free since September 2014;
3. Forced Entry at my 4-bedroom home on 28 November 2022, at 7 Hoveton Way, Ilford, IG6 2GP, with an alleged sale of £670,000, which is £254,000 below market value of £924,000 + £600,000 future losses from a planned side extension on the 12 Meters X 5 Meters Land, double storey as well as 4 meters single storey at rear side of My whole house with Loft Conversion. (£850,000 value increase after spending of £250,000 in costs gives the loss of £600,000).
4. Although I have put fraud alerts on Land Registry because the matter is still subject of court proceedings, Vishal has placed secret potential buyers/tenants from abroad, from whom he is collecting cash rent without my knowledge and consent.

What is stated above is true



Mr Sham Pal Sood

23/6/23



WITNESS STATEMENT BY MR SHAM SOOD EDIT 3.docx  
102.3kB



WITNESS STATEMENT BY MR SHAM SOOD EDIT 3.pdf  
44.8kB

Pages 2-2



HM Courts &  
Tribunals Service

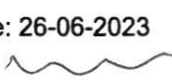
King's Bench Claims

Room E07, Royal Courts of  
Justice, Strand, London, London  
WC2A 2LL, DX 44458 Strand

T 0203 936 8957

Sham Pal Sood  
C/O 114 Park Lane  
Hornchurch RM11 1BE

Date: 26-06-2023

 ←

26/6/23

Dear Sir / Madam,

**RE: KB-2023-001609 Sood v Sood**

I have enclosed issued copies of the claim form in the above case.

Please note that it is the responsibility of the parties to serve court documents such as claim forms. It is normal procedure that when serving the claim form you do so with a response pack. The forms which make up a response pack are available to download from the following link <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do>

The response pack may include the following forms.

**Part 8 Claim.**

N208C Notes for Defendant

N210 Acknowledgement of Service

**Part 7 (Specified)**

N1C Notes for Defendant

N9 Acknowledgement of Service

N9A Admission

N9B Defence & Counterclaim

**Part 7 (Unspecified) & (Non-Monetary)**

N1C Notes for Defendant

N9 Acknowledgement of Service

N9C Admission

Pages 1-2/3

N9D Defence & Counterclaim

**Part 55 (Possession Claim against Trespassers)**

26/6/23

N11B Defence form (Accelerated possession procedure) (Assured shorthold tenancy) where the property is located wholly or partly in England

N11R Defend a claim for possession of a rented property

**Part 20 (Additional Claim)**

N1C Notes for Defendant

N213 Acknowledgement of Service

N9A or N9C Admission

N9B & N9D Defence & Counterclaim

Yours faithfully,

S A Bhatti

**King's Bench Claims**

Pages 2 - 2/3

## Notes for defendant (Part 8 claim form)

Please read these notes carefully - they will help you to decide what to do about this claim.

- You have 14 days\* from the date on which you were served with the claim form to respond to the claim
- If you **do not return** the acknowledgment of service, you will be allowed to attend any hearing of this claim but you will **not** be allowed to take part in the hearing unless the court gives you permission to do so
- Court staff can tell you about procedures but they cannot give legal advice. If you need legal advice, you should contact a solicitor or Citizens Advice Bureau immediately

### Time for responding

The completed acknowledgment of service must be returned to the court office within \*(14 days) ( ) of the date on which the claim form was served on you.

If the claim form was:

- sent by post, the \*(14 days) ( ) begins 2 business days from the date of the postmark on the envelope.
- delivered or left at your address, the \*(14 days) ( ) begins the second business day after it was delivered.
- handed to you personally, the \*(14 days) ( ) begins on the second business day it was given to you.

### Completing the acknowledgment of service

You should complete sections A - E as appropriate. In all cases you must complete sections F and G.

#### Section A - not contesting the claim

If you do **not** wish to contest the remedy sought by the claimant in the claim form, you should complete section A. In some cases the claimant may only be seeking the court's directions as to how to act, rather than seeking a specific order. In these circumstances, if you wish the court to direct the claimant to act in a certain way, give brief details.

#### Section B - contesting the claim

If you do wish to contest the remedy sought by the claimant in the claim form, you should complete section B. If you seek a remedy different from that sought by the claimant, you should give brief details in the space provided.

#### Section C - disputing the court's jurisdiction

You should indicate your intention by completing section C and filing an application disputing the court's jurisdiction within 14 days of filing your acknowledgment of service at the court. The court will arrange a hearing date for the application and tell you and the claimant when and where to attend.

#### Section D - objecting to use of procedure

If you believe that the claimant should not have issued the claim under Part 8 because:

- there is a substantial dispute of fact involved; and
  - you do not agree that the rule or practice direction stated does provide for the claimant to use this procedure
- you should complete section D setting out your reasons in the space provided.

#### Section E - written evidence

Complete this section if you wish to rely on written evidence. You must send your written evidence to the court with your acknowledgment of service. It must be verified by a statement of truth or the court may disallow it. If you have agreed with the other party(ies)

an extension of time for filing your written evidence, a copy of your written agreement must be filed with your acknowledgment of service. Please note that the agreement can only extend time by 14 days from the date you file your acknowledgment of service.

#### Claims under section 1 of the Inheritance (Provision for Family and Dependents) Act 1975

A defendant who is a personal representative of the deceased must file and serve written evidence which must state to the best of that person's ability:

- full details of the value of the deceased's net estate, as defined in section 25 of the Act;
- the person or classes of person beneficially interested in the estate, and
  - the names and (unless they are parties to the claim) addresses of all living beneficiaries; and
  - the value of their interests in the estate so far as they are known;
- whether any living beneficiary (and if so, naming him) is a child or protected party within the meaning of Rule 21.1(2); and
- any facts which might affect the exercise of the court's powers under the Act.

#### Section F - name of defendant

Print your full name, or the full name of the defendant on whose behalf you are completing this form.

#### Serving other parties

You must send to any other party named on the claim form, copies of both the acknowledgment of service and any written evidence, at the same time as you file them with the court.

#### What happens next

The claimant may, within 14 days of receiving any written evidence from you, file further evidence in reply. On receipt of your acknowledgment of service, the court file will be referred to the judge for directions for the disposal of the claim. The court will contact you and tell you what to do next.

#### Statement of truth

This must be signed by you, by your solicitor or your litigation friend, as appropriate.

Where the defendant is a registered company or a corporation the statement must be signed by either the director, treasurer, secretary, chief executive, manager or other officer of the company or (in the case of a corporation) the mayor, chairman, president or town clerk.

\*For claims under the Inheritance (Provision for Family and Dependents) Act 1975 the period is 21 days.