

**CS No. 1039/22**  
**Lalit Kumar vs. Swarna Gupta**

20.02.2024

Present: Sh. Karan Kumar, Ld. Counsel for the plaintiff through VC and plaintiff in person.  
Sh. Sandeep Jindal, Ld. Counsel for the defendant.

The matter was listed for appearance of the parties and for framing of issues.

The plaintiff is present in court however it is submitted by the Ld. Counsel for the defendant that due to an accident, the defendant could not appear today before the Court.

With the consent of the parties, the following issues are framed :-

- 1. Whether the plaintiff is entitled to a decree of permanent injunction thereby restraining the defendant from creating any hindrance/obstruction on the common areas of the suit property ?OPP*
- 2. Whether the plaintiff is entitled to a decree of mandatory injunction thereby directing the defendant to offer their portion of the suit property prior to transfer of the said portion to any third party? OPP*
- 3. Whether the present suit is not maintainable in view of the bar contained in Order 2 Rule 2 CPC? OPD*
- 4. Relief.*

No other issue arises or is pressed for.

List for PE on **21.05.2024**.

Ld. Counsel for the plaintiff and defendant are directed to file list of witnesses and Ld. Counsel for the plaintiff is directed to file evidence by way of affidavit of all the witnesses proposed to be examined with advance copy to the other side.

**(Sachin Sood)**  
ADJ- 01 (Central),  
THC, Delhi,20.02.2024