

27.04.2023

Pr: Sh. Amit Kumar, counsel for the plaintiff.

Sh. Archit Gupta, counsel for defendant with defendant.

Fresh *vakalatnama* filed on behalf of the defendant, same is taken on record.

Rejoinder on behalf of plaintiff to the WS filed by the defendant, is filed, same is taken on record, copy supplied to the other side.

Pleadings are complete. On the basis of pleadings of parties, the following issues are hereby framed.

ISSUES:

1. ***Whether the plaintiff is entitled to a decree for partition in respect of property bearing No.H. No.MB-17 Gali No.1, Master Block, Shakar Pur, Delhi-92, as prayed for? OPP***
2. ***Whether the plaintiff is entitled to a decree for permanent and mandatory injunction thereby directing defendants not to create any third party interest in the suit property in any manner by way of sale, letting, mortgaging or otherwise, as prayed for? OPP***
3. ***Whether the defendant prove that plaintiff has no locus standi to file the present suit ? OPD***
4. ***Whether the defendant proves that no cause action arose in favour of plaintiff to file the present suit? OPD***

5. *Whether the defendant proves that suit is bad for non-joinder of necessary parties? OPD.*
6. *Whether the defendant proves that suit is liable to be dismissed as the suit is based on forged and fabricated documents and is not maintainable in law and facts as the suit property cannot be partitioned, as averred in the WS ?OPD.*
7. *Relief.*

No other issue arises nor pressed for nor onus of proof objected to. Both the sides to file their list of witnesses within 15 days from today. Plaintiff to file his evidence by way of affidavit with advance copy to the opposite side.

Put up for PE on 03.08.2023.

Rajesh Kumar
ADJ-03(East)
KKD Courts-27.04.2023