

22.11.2022

Present: Shri Agredeep Goel, ld. counsel for plaintiff.
Shri Amit Sharma, ld. counsel for defendant no.1 alongwith D-1.
None for other defendants.

Ld. counsel for D-1 submits that defendant does not intend to file any amended W.S.

W.S. on behalf of other defendants has not been filed till date. Several opportunities were given but of no avail. Hence, right to file W.S. on behalf of other defendants no. 2 to 7 is hereby closed.

Arguments heard on issues. Pleadings are complete. With the available pleadings on record, the following issues are framed:

- 1. Whether the plaintiff proves that he is entitled for a decree of partition of the suit property as prayed for? OPP**
- 2. Whether the plaintiff further proves that he is entitled for a decree of consequential relief of possession as prayed for? OPP**
- 3. Whether the plaintiff is entitled for a decree of declaration that plaintiffs are joint owner of suit property as prayed for?OPP**
- 4. Whether the plaintiff is entitled for a decree of permanent injunction as prayed for?OPP**
- 5. Whether the defendant prove that plaintiff has suppressed the material facts in the suit? OPD**

6. Whether the defendant prove that late Shri Bandhu Ram had executed a Will dated 15.11.2016 in favour of defendant no.1 concerning the movable and immovable properties i.e. H.No. 17/62, Kalyanpuri, Delhi i.e. suit property; his share in agricultural land situated at Village Pipat, Distt. Chhatarpur, M.P. and amount lying his bank account no. 10818968559, Bank of India, Branch Kalyanpuri, Delhi? OPD-1.

7. Relief.

No other issues arises nor pressed for nor onus of proof objected to.

Both the sides are directed to file their list of witnesses within fifteen days from today with advance copy to each other. Plaintiff to file evidence by way of affidavit of PW with advance copy of the same to the opposite side.

Put up for PE on 27.02.2023.

(Rajesh Kumar)
Addl. District Judge-03
East/KKD Courts/Delhi
22.11.2022