

04.07.2023

Present : Sh. Harmeet Singh, Ld. Counsel for the plaintiff.
Sh. Arvind Sharma, Ld. Counsel with defendant nos. 2 and 4 files document along with list and supplies copy.

An application for appointment of guardian ad-litem for the minor master Dev Sharma is pending consideration Sh. Sharma has no objection to that and his submission is that the defendant no. 2, present in the Court as the mother and the natural guardian, to the minor and has no interest, adverse to that of the minor, hence, the application stands allowed.

Sh. Sharma further states that the defendant no. 4 will adopt the written statement, already, filed on behalf of the other defendants. Sh. Gulati submits that the plaintiff would not file any replication in the matter. No admission/denial is being done.

Followings issues have been framed.

1. Whether the plaintiff is entitled for the decree of possession, as prayed in prayer clause a. of the plaint, ? OPP.

2. Whether the plaintiffs are entitled for the decree of damages of Rs. 50,000/- as prayed in prayer clause b. of the plaint ? OPP.

3. Whether the plaintiffs are entitled for the decree of permanent injunction as claimed in prayer clause of the plaint ? OPP.

4. Whether the present suit is to be stayed under the provisions of Section 10 CPC? OPD

5 Whether the suit is under valued for the purposes of Court fee and jurisdiction and proper Court fees has been paid? OPD

No other issue arises or pressed for, hence, explained. Put up for PE on 06.09.2023. Advance copies of affidavits of PWs be supplied to the Ld. Counsel for the defendant at least 15 days prior to the NDOH against receipt. PWs shall be present on NDOH.

Parties may submit list of witnesses, as per rules.

(Sanatan Prasad)
Addl. District Judge-02 (East)
Karkardooma Courts/04.07.2023