

20.01.2026

Present: Both Plaintiffs along-with Ld. Counsels Sh. Pradeep Tyagi and Sh. Ridam Tyagi.

Sister of defendant with Ld. Counsel Ms. Ria Goyal.

Replication filed. Copy supplied.

Ld. Counsel for plaintiff submits that plaintiff does not wish to press his application under Section 152 r/w Section 151 CPC.

Heard. Perused.

The aforesaid application is dismissed as not pressed.

During course of arguments on the application under Order XXXIX Rules 1 & 2 CPC, Ld. Counsel for the defendant submitted that defendant has instructed her to make statement that she will not create any third party interest in the suit property, in any manner, till the final disposal of the suit.

Ld. Counsel for plaintiffs submits that statement of Ld. Counsel for the defendant be recorded and the aforesaid application be disposed off accordingly.

Statement of Ld. Counsel for defendant is recorded separately.

In view of the submissions made and the statement of Ld. Counsel for the defendant recorded separately, the application under Order XXXIX Rules 1 & 2 CPC is disposed off and accordingly, defendant is restrained from creating any third party interest in the suit property as shown in the site plan till disposal of the present suit.

Pleadings are stated to be complete. From the pleadings of the parties, following issues are hereby framed:-

ISSUES:-

1. Whether the plaintiff has no locus standi to file this suit? OPD
2. Whether the plaintiffs are entitled for possession of suit property i.e. C-171, 3rd floor, Saraswati Kunj Apartments, Plot No.25, I.P. Extension, Patparganj, Delhi-92, as prayed for? OPP.
3. Whether the plaintiff is entitled for mesne profits/damages? If so, at what rate? OPP.
4. Whether the plaintiffs are entitled for permanent injunction as prayed for? OPP.
5. Relief.

No other issue arises or pressed.

List of witnesses be filed by both the parties within 15 days from today after supplying advance copy to the opposite party.

Let advance copy of evidence by way of affidavit be supplied to Ld. Counsel for the defendant atleast 15 days prior to the next date of hearing.

Put up for PE on 12.02.2026.

(Ravinder Singh-I)
District Judge-03
East District, KKD Courts,
Delhi, 20.01.2026