

C. S. No. 2774/16

27.03.2018

Present: Sh. M. Mukul, counsel for the plaintiff.

Sh. Tushar Rao, counsel for defendant.

Original of Annexure P-4 i.e. documents purportedly written and signed by Late Sh. K. N. Rao which is based on claim of the plaintiffs for their entitlement as claimed in the suit, is produced for perusal of the Court as well as for counsel for defendant.

The same after perusal is returned to the counsel for plaintiff with direction to file the same during the course of day along with list of documents.

From the pleadings of the parties following issues are framed:-

1. Whether the plaintiffs are entitled for 1/3rd share each in the suit property in terms of written acknowledgment (Annexure P-4) by father of the plaintiff No. 1? (OPP)
2. Whether the plaintiff No. 1 is further entitled to remaining 1/3rd share of the suit property in equal share with the defendants? (OPP)
3. Whether the plaintiff No. 1 is entitled for equal share with the defendants for the amount kept in saving bank account of the deceased father of the plaintiff No. 1 along with other movable and immovable properties? (OPP)
4. Whether the written acknowledgement as alleged by the plaintiff was executed by the father of plaintiff No. 1 thereby giving 1/3rd share each to the plaintiff No. 1 and

- 2 in the suit property? (OPP)
5. Whether the Wills' dated 08.04.2009 and 30.12.2011 were executed by Late Sh. K.N. Rao, father of the plaintiff No. 1 and defendant No. 1 in favour of defendant No. 1? (OPD)
 6. Whether the aforesaid Wills' dated 08.04.2009 and 30.12.2011 are forged and fabricated as alleged by the plaintiffs? (OPP)
 7. Whether the plaintiffs are entitled for damages for unauthorized used of the share of the plaintiffs by the defendants as alleged? (OPP)
 8. Whether the plaintiff is entitled for possession of the suit property as prayed? (OPP)
 9. Whether there is no cause of action in favourt of the plaintiff and against the defendants? (OPD)
 10. Relief

No other issue arises or is pressed for by the parties. List of witnesses, if any, be filed by both the parties within 15 days from today.

Affidavits in evidence of all PW's be filed and advance copy be supplied to the opposite side at least seven days prior to the next date of hearing.

Put up for P. E. on 26.07.2018.

(VIPIN KUMAR RAI)
Additional District Judge-03
East District/KKD Courts/Delhi
27.03.2018

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