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CS No. 635/24

VIBHA JAIN Vs. SAHIL NAGPAL

17.12.2025

Present : Ms. Archana Srivastava, Ld. Counsel for the plaintiff alongwith plaintiff.
Ms. Yashika Garg, Ld. Proxy Counsel for the defendant.

Matter is fixed for arguments on application under Order XIV Rule 5 and 3 r/w Section 151 of CPC filed on behalf of the plaintiff.

Ld. proxy counsel for the defendant upon instructions from main counsel submits that main counsel does not wish to address arguments on aforesaid application.

It is stated on behalf of the plaintiff that defendant has levelled certain allegations in his written statement, which give rise to additional issues as the current issues do not address these disputes, which are essential for the proper adjudication of the dispute and to determine the real questions in controversy between the parties and that no prejudice will cause to either of the parties. It is prayed that application may be allowed and proposed additional issues as mentioned in the instant application may be framed.

Submissions heard. Record perused.

Considering the submissions of plaintiff, the following additional issues are framed.

Additional issues:-

4. Whether cheque bearing no. 961321 dated 15.03.2017 drawn on Punjab National Bank, Ghonda, Delhi-110053 was handed over by the plaintiff to defendant in discharge of liability of the amount given by defendant to the plaintiff? OPD
5. Whether the plaintiff has filed the present false and frivolous suit in connivance with her husband who is a Chartered Accountant by profession to extort the defendant of undue amounts? OPD
6. Whether the present suit was filed within prescribed period of limitation? OPP

Other issues mentioned in the application under Order XIV Rule 5 and 3 r/w Section 151 of CPC of the plaintiff are not necessary for deciding the matter in controversy.

In terms of framing of aforesaid additional issues and aforesaid observation, the **application under XIV Rule 5 and 3 r/w Section 151 of CPC stands disposed off.**

For the sake of clarity, the entire set of issues framed in the matter is reproduced herein below:

All issues

1. Whether the plaintiff is entitled to a decree of recovery of amount of Rs. 3,66,250/- (Rupees Three Lakhs Sixty Six

Thousand Two Hundred Fifty only) against the defendant?
OPP

2. Whether the plaintiff is entitled to interest on the suit amount as prayed for, if yes, at what rate and for what period? OPP
3. Whether the present suit is time barred ? OPD
4. Whether cheque bearing no. 961321 dated 15.03.2017 drawn on Punjab National Bank, Ghonda, Delhi-110053 was handed over by the plaintiff to defendant in discharge of liability of the amount given by defendant to the plaintiff? OPD
5. Whether the plaintiff has filed the present false and frivolous suit in connivance with her husband who is a Chartered Accountant by profession to extort the defendant of undue amounts? OPD
6. Whether the present suit was filed within prescribed period of limitation? OPP
7. Relief.

Put up for PE on 17.03.2026.

List of witnesses be filed by the parties within 15 days. The plaintiff shall supply the copy of evidence by way of affidavit in advance to the other side two weeks prior to the NDOH.

(SOMITRA KUMAR)
DJ-06, EAST/ KKD COURTS
DELHI/17.12.2025 ^(R)