

9 CS 722/24 SMT. SEEMA KAPOOR Vs. SMT. SHALLY KATYAL

01.06.2026

Present: Ms. Benu Dhawan, Ld. Proxy Counsel for Mr. Yogesh Kumar- Ld. Counsel for the plaintiff.
Defendant-2 with Ld. Counsel Mr. Rajesh Pathak.
Mr. Prateek Mehta, Ld. Counsel for the defendant-3 through VC.

Ld. Counsel for the defendant-2 filed his vakalatnama and sought time to inspect the case file and to move an appropriate application for setting aside order dated 11.12.2025 whereby defendant-2 was proceeded exparte.

Affidavit of plaintiff qua admission denial of documents filed. However, defendants have not filed their affidavits qua admission denial of documents.

Heard on application of defendant-3 under Order VII Rule 11 CPC. Case file perused.

Defendant-3 in the aforesaid application stated that the plaintiff has valued the suit for the purpose of jurisdiction at Rs. 80,00,000/- however, she has not paid proper court fees on her $\frac{1}{4}$ share in spite of the fact that she also sought relief of possession.

Plaintiff contested the aforesaid application by filing the detailed reply stating therein that she has valued the suit properly and paid the requisite court fees as per law.

It is pertinent to note that plaintiff valued the suit for the purpose of jurisdiction at Rs. 80,00,000/- and she has paid the court fees of Rs. 10,000/-

During course of arguments, Ld. Counsel for the defendant-3 submitted that plaintiff has not valued the suit properly for the purposes of court fees and jurisdiction as such issue may be framed and his application be disposed of as not pressed.

In view of above, the aforesaid application is dismissed as not pressed.

Pleadings have been completed. From the pleadings of the parties the following issues are framed:

- (1) Whether the plaintiff has not valued the suit properly for the purpose of jurisdiction and court fees ?OPD-3*
- (2) Whether the suit is barred by limitation?OPD-3*
- (3) Whether the plaintiff is entitled for declaration thereby declaring her ¼ share in suit property i.e. property bearing no. 1/45, Geeta Colony, Delhi ?OPP*
- (4) Whether the plaintiff is entitled for a decree of partition and possession in respect of her share in the suit property?OPP*
- (5) Whether the plaintiff is entitled for permanent injunction as prayed in prayer clause (b)?OPP*
- (6) Whether the plaintiff is entitled for mandatory injunction as prayed in prayer clause (c)?OPP*
- (7) Whether the plaintiff is entitled for rendition of accounts, as prayed in prayer clause (e)?OPP*
- (8) Relief.*

No other issue arises or pressed for.

Now to come up for plaintiff's evidence on 08.08.2026.

Parties are directed to file their list of witnesses within 15 days with copies of each other.

Plaintiff is directed to supply advance copy of evidence affidavit of the plaintiff witnesses to the defendant/ Ld. Counsel for the defendant at least a week before the next date of hearing.

(Ravinder Singh - I)
District Judge-03/East District,
KKD Courts, Delhi/01.06.2026/j