

CS 49/22
SH. BHARAT BHUSHAN KAPOOR Vs. MRS.SUSHMA
KAPOOR
AND OTHERS

29.03.2025

Present: Plaintiff in person with Ld. Proxy Counsel Ms.
Punam Singh for main Counsel Sh. A. P. Vinod.
Sh. Naveen Gupta, Ld. Proxy Counsel for the
defendants no. 1 to 3 through VC.
Defendants no. 4 to 6 are already ex-parte.

Mediation order received back unsettled.

Affidavit of admission-denial of documents already
filed on behalf of plaintiff on 24.12.2024. Copy supplied.
Pleadings are stated to be completed.

As per pleadings of the parties, following issues are
framed for adjudication of the suit:

(1) Whether the plaintiff is entitled for decree of possession against the defendant no. 1, 2, 3 and 6 in respect of suit property i.e. property comprising of two rooms set on Ground floor, situated at property bearing no. F-9, Gali No. 29, Madhu Vihar, Delhi-110092 as shown in Site Plan?OPP

(2) Whether the plaintiff is entitled for a decree of permanent injunction against the defendant no. 1, 2, 3 and 6, thereby restraining them from selling, transferring or creating any third party interest in the suit property comprising of two rooms set on Ground floor, situated at property bearing no. F-9, Gali No. 29, Madhu Vihar, Delhi-110092 as shown in Site Plan? OPP

(3) Whether the plaintiff is entitled for decree of mandatory injunction, directing the defendant no. 6 to pay monthly rent in respect of suit property from February, 2002 till handing over the possession of suit property to the plaintiff? OPP

Contd/-

(4) Whether the plaintiff is entitled for a decree of recovery of Rs. 52,500/- (rupees fifty two thousand five hundred only) against the defendants no. 4 and 5 towards arrears of rent for period from August, 2021 to December, 2021? OPP

(5) Whether the plaintiff is entitled for any interest, if so, at what rate and for what period? OPP

(6) Whether the suit of the plaintiff is not maintainable in the present form? OPD

(7) Whether the plaintiff has no locus standi to file the present suit? OPD

(8) Whether there is no cause of action in favour of the plaintiff to file the present suit? OPD

(9) Whether the plaintiff has obtained the Conveyance Deed dated 30.09.2021 from DDA by misrepresentation of the facts and by playing fraud upon DDA? OPD

(10) Whether the suit of plaintiff is bad for non-joinder of necessary party? OPD

(11) Whether suit of the plaintiff is not properly valued? OPD

No other issue arises or pressed upon.

Put up for PE on **28.07.2025**.

List of witnesses be filed within stipulated period.

Plaintiff is directed to file evidence affidavits of his witnesses within four weeks from today with advance copies of the same to Ld. Counsel for the defendants.

(Hem Singh)
District Judge-01
East/KKD Court/Delhi/29.03.2025