

CS No. 3097/16

11.07.2018

Present: Plaintiff no. 1 in person with Sh. Ratan Prakash proxy for Ld.
Counsel for plaintiffs

Defendant in person with Ld. Counsel Sh. RK Santoshi.

At this stage, Ld. Counsel for plaintiff submits that he does not intend to file any document. Both the Ld. Counsels submit that they do not want to have any document admitted or denied. Hence, from the pleadings of the parties, the following issues are hereby framed:-

ISSUES

- 1. Whether the plaintiffs are entitled for a decree of declaration in their favour against the defendant for declaring them to be the rightful owner of the suit property bearing no. R-53, comprising in Khasra No. 193/3 Village Khichripur Delhi along with the disputed portion of the said property as shown in red colour in the site plan?OPP***
- 2. Whether the plaintiffs are entitled for a decree of declaration against defendant for declaring the judgment and decree dated 04.03.2011 passed by Sh. AK Sisodia, Ld. SCJ/RC, North East District, Delhi and the judgment and decree dated 02.06.2014 passed by Sh. GN Pandey, Ld. ADJ, North East District, Delhi, has no concern with the aforesaid suit property?OPP***
- 3. Whether the plaintiffs are entitled for a decree of possession of the suit property against the defendant?OPP***
- 4. Whether the plaintiffs are entitled for a decree of permanent injunction for restraining the defendant to create any third party interest in the suit property?OPP***

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- 5. *Whether the suit of the plaintiffs has not been property valued and proper court fees not affixed upon it?OPD***
- 6. *Whether the suit of the plaintiffs is barred by the principles of res-judicata?OPD***
- 7. *Whether the suit is barred by limitation?OPD***
- 8. *Whether the father and grandfather of the plaintiffs had already sold the suit property and as such, the plaintiffs had no locus standi to file the present suit?OPD***
- 9. *Relief.***

No other issue arises nor pressed for. Now, to come up for plaintiff evidence on 16.10.2018.

List of witnesses be filed within fifteen days from today. Advance copy of affidavit in evidence on behalf of the plaintiffs be supplied to Ld. Counsel for the defendant at least one week before the next date, so that the plaintiff's witness could be cross-examined on that date.

(Sanjay Sharma-I)
Addl. District Judge-02(East)
Karkardooma Courts- 11.07.2018