

28.5.2018

Present:- Shri Vishwanath – one of the LR's of deceased-plaintiff with
Shri Rahul Sharma – Advocate

Defendants No. 1 and 2 in person who are already ex-parte

Defendant No. 3 in person and for defendant No. 4 with
Shri Hitesh Bhardwaj – Ld. Counsel for said defendants.

Replication to the WS of defendants No. 3 and 4 filed. Copy supplied.
Admission/denial of documents is complete. Defendants do not wish to have any
document admitted or denied.

From the pleadings of the parties following issues arise and are hereby
framed :

ISSUES :

- 1). Whether the plaintiff is entitled for a decree of declaration against the defendants for declaring the Sale Deed dt.13.2.2013, (bearing registration No.2448) executed by defendant No. 1 in favour of defendant No. 3 in respect of the suit property bearing No. E-391, Gali No. 7 East Vinod Nagar, Delhi, as null & void?OPP***
- 2). Whether the plaintiff is entitled for a decree of declaration against the defendants for declaring the Sale Deed dt.13.2.2013, (bearing registration No.2449) executed by defendant No. 1 in favour of defendant No. 3 in respect of the suit property bearing No. E-391, Gali No. 7 East Vinod Nagar, Delhi, as null & void?OPP***
- 3). Whether the plaintiff is entitled for a decree of declaration against the defendants for declaring the Sale Deed dt.11.6.2013, (bearing registration No.10081) executed by defendant No. 2 in favour of defendant No. 4 in respect of the suit property bearing No. E-391, Gali No. 7 East Vinod Nagar, Delhi, as null & void?OPP***

...2...

4). Whether the plaintiff is entitled for a decree of declaration against the defendants for declaring the GPA dt.26.9.1994, (bearing registration No.41538) executed by plaintiff in favour of defendant No. 1 in respect of the suit property bearing No. E-391, Gali No. 7 East Vinod Nagar, Delhi, as null & void?OPP

5). Whether the plaintiff is entitled for a decree of declaration against the defendants for declaring the GPA dt.20.4.2013,(bearing registration No.453) executed by defendant No. 1 in favour of defendant No. 2 in respect of the suit property bearing No. E-391, Gali No. 7 East Vinod Nagar, Delhi, as null & void?OPP

6). Whether the plaintiff is entitled for a decree of mandatory injunction against the defendants directing them to produce all the original documents executed by defendants No. 1 and 2 in favour of defendants No. 3 and 4 in respect of the said suit property with the consequential relief of declaration to declare them null & void? OPP

7). Whether the plaintiff is entitled for the decree of permanent injunction against the defendants for restraining them to create any third party interest in the said suit property? OPP

8). Whether the plaintiff is entitled for the decree of permanent injunction against the defendants for restraining them from causing any obstruction or interference in the peaceful enjoyment of the said suit property by the plaintiffs and from forcibly dispossessing the plaintiff from the said suit property? OPP

...3...

9). Whether the plaintiff is entitled for a decree of possession against the defendants No. 3 and 4 in respect of the said suit property and as shown in green colour in the site plan? OPP

10). Whether the plaintiff is entitled for a decree of mesne profits against defendants No. 3 and 4 for the use and occupation of the suit property @ Rs.25000/- per month? OPP

11). Whether the present suit of the plaintiff is barred by limitation? OPD-3 and OPD-4

12). Whether the plaintiffs have not valued the suit properly for the purposes of court fees and have not paid appropriate court fees ? OPD-3 and OPD-4

13). Relief.

No other issue arises or is pressed for.

Put up for PE on **27.9.2018**. Advance copy of affidavit in evidence on behalf of the plaintiff 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. List of witnesses be filed within 15 days.

(Sanjay Sharma-I)
Addl. District Judge-02(East)
Karkardooma Courts- 28.5.2018