

CS 795/17

SMT. NIDHI SHARMA Vs. G.K. SHARMA ETC.

21.07.2022

Present: Sh. Kapil Goyal, ld. counsel for plaintiff with plaintiff/
PW1.

Sh. Vikas Kumar, ld. counsel for defendant no.1.

Defendant no. 2 already ex-parte vide order dt.

19.04.2018.

Matter is fixed for PE.

Previous cost of Rs.2,000/- paid to the plaintiff. Ld. counsel for defendant no.1 undertakes to deposit the remaining cost and to file the receipt on or before the NDOH.

PW1 Smt. Nidhi Sharma has been cross-examined and discharged. No other witness is present.

At this stage, an application u/o 14 Rule 5 r/w Section 151 CPC filed on behalf of defendant no.1 is taken up.

Heard. Same is not opposed.

Accordingly, the said application is disposed of as allowed.

In continuation to order dt. 30.10.2019, following additional issue is hereby framed:

8. Whether the suit is barred by Section 41 of the Transfer of Property Act? OPD-1.

No other issue arises or is pressed for.

Put up for remaining PE on **12.01.2023**.

(Ajay Garg)

Additional District Judge-01

(East), KKD Court, Delhi/21.07.2022