

17.12.2024

Present: Sh. Saurabh Rastogi, Ld. Legal Aid Counsel for the plaintiff along with plaintiff in person.
Sh. Deepak Kaushik, Ld. Proxy Counsel for main Counsel Sh. R. P. Pandey for defendants Sudarshan Savita Verma and Smt. Parveen Aggarwal.
Right of defendants no. 4 (Virender Singh), 5 (Bhawna @ Maya), 8 (Pradeep Kumar) and 9 (Seema Badhwar) to file WS has already been closed vide order dated 24.09.2024.

Fresh amended memo of parties already filed on behalf of plaintiff on 01.10.2024. Plaintiff is directed to file amended memo of parties without disturbing the original number of defendants.

Affidavit of admission/denial of documents filed on behalf of plaintiff on 01.10.2024, same is taken on record. Copy supplied.

Affidavit of admission/denial of documents filed on behalf of defendant Sudarshan Savita on 11.12.2024, same is taken on record. Copy supplied.

Proposed issues filed on behalf of defendants Sudarshan Savita Verma and Smt. Parveen Aggarwal. Copy supplied. Same is taken on record.

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

(1) Whether the plaintiff is entitled for decree of

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partition, thereby declaring the plaintiff as joint owner having 1/3rd undivided share in the suit property bearing no. 13/1-A, Gali no. 2, Jagat Puri, Delhi-110051, as prayed for? OPP

(2) Whether the plaintiff is entitled for a decree of declaration thereby, declaring Sale Deed dated 30.01.2018 executed by defendant no. 1 in favour of defendant no. 9 and 10 as null and void, as prayed for? OPP

(3) Whether the plaintiff is entitled for a decree of declaration thereby, declaring GPA, affidavit and receipt all dated 06.05.1989 allegedly executed by father of the plaintiff in favour of defendant no. 1 as null and void, as prayed for? OPP

(4) Whether the plaintiff is entitled for a decree of permanent injunction thereby, restraining the defendants from forcibly dispossessing the plaintiff from the suit property, as prayed for? OPP

(5) Whether the plaintiff is entitled for a decree of permanent injunction thereby, restraining the defendants from creating any third party interest in the suit property, as prayed for? OPP

(6) Whether the suit is barred u/O II Rule 2 CPC? OPD

(7) Whether the suit is barred u/O XXIII Rule 1 (4) CPC? OPD

(8) Whether the plaintiff has no local standi to file the present suit? OPD

(9) Whether the suit is barred by limitation? OPD

(10) Whether the suit is liable to be dismissed u/O VII Rule 11 CPC as there is no cause of action in favour of the plaintiff to file the present suit? OPD

(11) Relief

No other issue arises or is pressed upon.

Plaintiff is directed to file evidence affidavits of all plaintiff witnesses within four weeks from today with advance copies of the same to the defendants. List of witnesses be filed within stipulated period.

Put up for PE on **08.04.2025**.

(Hem Singh)
District Judge-01
East/KKD Court/Delhi/17.12.2024