

CS 115/17

SUNIL GARG Vs. JASVINDER KAUR & ORS.

24.07.2023

Present: Sh. Ravinder Kumar, Ld counsel for the plaintiff
alongwith plaintiff.
Sh. Rahul Mehta, Ld counsel for the defendant no.1
& 2.
Defendant no.5 in person and also for defendant
no.3 & 4.

The present suit was filed in the year 2017 and same is accompanied with an application under Order 33 r/w Section 151 CPC. Though the applicant has filed certain documents with his application, however, the documents are not sufficient to decide the said application vide which the plaintiff seeks to pursue the present suit as an indigent person.

Plaintiff is accordingly directed to file ITR records pertaining to the period 2005 till date. He is also directed to file bank certified copy of pass book for the said period. He is further directed to file details as regards movable and immovable properties owned either by him or his family members i.e. wife and children. He is further directed to file affidavit as regards his current source of income, livelihood. He is also directed to file fresh affidavit to the effect as to where the amount of Rs.85 lacs, which was received by him as per the agreement to sell, was spent alongwith appropriate complete details/receipt/bills/acknowledgment etc.

Further more plaintiff is directed to clarify as to how the present suit is maintainable in its present form as no relief of possession has been sought by the plaintiff, though admittedly he is not in the possession of the suit property. Moreover, he has

received the entire consideration amount of Rs.85 lacs as per the agreement to sell.

Relist the matter for further proceedings on 10.01.2024.

(Gaurav Rao)
Additional District Judge-03
Patiala House Courts, New Delhi
24.07.2023