

**CS No. 801/17**

**Randhir Singh Rana Vs. Hawa Singh**

**18.07.2019**

**Present:** Shri Naveen Sehrawat, Ld. Counsel for the plaintiff.  
Ld. Counsel for defendant.

Replication filed with proof that copies were already sent to the Ld. Counsel for the plaintiff.

Pleadings are completed. Arguments heard on framing of issues.

I hereby frame the following issues-

**ISSUES IN THE MAIN SUIT-**

- 1. Whether the plaintiff is entitled to decree of declaration thereby declaring the MOU and GPA dated 27.11.2007 executed between the plaintiff and the defendant be declared as null and void? OPP.**
- 2. Whether the plaintiff is entitled to the decree of possession qua the suit property's portion admeasuring 270 Sq. Yards shown in red colour in the site map falling in Khasra No. 512 and having House no.57, Village, Rangpuri, New Delhi ? OPP.**
- 3. Whether plaintiff is entitled to decree of mesne profits @ Rs.50,000/- per month from December, 2016 till actual possession is handed over to him? OPP.**
- 4. Whether plaintiff is entitled to decree of permanent injunction against the defendant thereby restraining defendants from alienating or creating any third party rights with respect to property mentioned in MOU? OPP.**
- 5. Whether plaintiff is entitled to a decree of mandatory injunction against defendants thereby directing the defendant to remove unauthorised construction raised over the suit property? OPP.**
- 6. Whether the suit is properly valued for the purpose of Court fee and jurisdiction? OPD.**

**7. Relief.**

No other issue arises or pressed.

**ISSUES IN THE COUNTER CLAIM-**

**1. Whether counter claimant is entitled to a decree thereby directing the plaintiff to comply with the conditions of oral partition which are claimed to be later on reduced in the form of MOU dated 27.11.2007? Onus on counter claimant.**

**2. Whether counter claimant is entitled to a decree of cancellation qua sale deed dated 05.05.1982 claimed to be got executed by plaintiff in his own favour? Onus on counter claimant.**

**3. Whether the counter claim is properly valued? OPP.**

**4. Whether counter claim is bad for mis-joinder of causes of action? OPP.**

**5. Whether counter claim is within limitation qua the relief of cancellation of sale deed? OPP.**

**6. Relief.**

No other issues arises or pressed.

Parties are directed to file list of witnesses within 15 days with copy to the opposite party within same duration. Further, plaintiff is directed to file original affidavit of evidence within a month with copy to opposite party within same duration.

Put up for PE on **19.12.2019**.

**(TWINKLE WADHWA)**  
**ADJ-03/PHC/NEW DELHI**  
**18.07.2019**