

CS No. 946/18

SOCIETY FOR THE PROTECTION AND MANAGEMENT
OF AGGARWAL JAIN TEMPLE AND DHARAMSHALA Vs.
RAJAN SEHGAL AND ANR.

14.08.2025

Present: Mr. Gurpreet Sethi, Ld. Counsel for the plaintiff
through VC.

Mr. Dharmendra Kumar, Ld. Counsel for the
defendant alongwith defendant No.2.

Adjournment sought on behalf of plaintiff to file the replication and affidavit towards admission and denial of documents. Same is opposed by ld. Counsel for defendant. It is submitted by ld. Counsel for defendant that since last two dates adjournment is being sought on behalf of plaintiff for the said purpose. Considering the fact that sufficient opportunities have already been granted to plaintiff to file replication, court is not inclined to grant any further time to the plaintiff for further said purpose. Opportunity of plaintiff to file replication is closed.

On the basis of pleadings of parties, following issues are framed:

ISSUES:

- 1 Whether the defendants have dispossessed the plaintiff society from suit property by illegally breaking open the locks of suit property and putting their own locks in third week of February, 2018 after converting a toilet into a room? OPP*
- 2 Whether plaintiff is entitled for decree of possession in respect of toilet/lavatory block built on an area measuring 16' x 8' (approx.) situated next to Quarter bearing private No.26, Aggarwal Jain Temple and Dharamshala Complex,*

Raja Bazaar, Jai Singh Pura, Connaught Place, New Delhi?

OPP

- 3 Whether plaintiff is entitled for decree for recovery of Rs.42,000/- as damages for use and occupation/mesne profit as prayed? OPP*
- 4 Whether the plaintiff is entitled for decree for recovery of pendente lite and future damages @ Rs.10,000/- pm.? OPP*
- 5 Whether the suit of the plaintiff is not maintainable for want of cause of action against the defendants? OPD*
- 6 Whether the suit is liable to be dismissed being barred by Section 60(b) of the Indian Easements Act, 1882? OPD.*

No other issue arises nor is pressed. Now to come up for PE on 07.11.2025. Plaintiff to file evidence affidavit in court on next date of hearing with advance copy to the Ld. Counsel for defendant 15 days before next date of hearing.

(Meenu Kaushik)
District Judge-03
Patiala House Courts, New Delhi
14.08.2025