

11.04.2018

Present : Plaintiff in person with Ms. Amrita Mishra, Advocate.
Defendant No.1 in person with Sh. N. Pandey, Advocate.
Defendant No.2 in person with Ms. Pushp Gupta, Advocate.

Ld. Counsel for the plaintiff has filed the original documents with list of documents, along with a certificate under Section 65-B of the Indian Evidence Act. The same be checked and taken on record.

Admission / denial of the documents of the parties has been concluded today. Pleadings of the parties are already complete. From the pleadings of the parties, following issues are framed, as under:

1. *Whether the present suit is bad for mis-joinder of necessary parties ? OPD*
2. *Whether the present suit has not been valued properly for the purposes of court fees and jurisdiction ? OPD*
3. *Whether the present suit is barred by Section 41 (h) of the Specific Relief Act ? OPD*
4. *Whether the present suit is barred by Section 41 (i) of the Specific Relief Act ? OPD*
5. *Whether the plaintiff is estopped from challenging the sale deed dated 23.01.2013, as per the provisions of Section 115 of the Indian Evidence Act ? OPD*
6. *Whether the plaint has not properly signed, verified and attested as per the provisions of Order 6 Rule 14 & 15 CPC. If so, it's effects ? OPD*
7. *Whether the plaintiff is entitled for a decree of declaration in respect of the sale deed dated 23.01.2013, as claimed in the plaint ? OPP*

8. *Whether the plaintiff is entitled for a decree of declaration in respect of unregistered sale deed dated 28.11.2013, as claimed in the plaint ? OPP*
9. *Whether the plaintiff is entitled for a decree of permanent injunction in respect of the property bearing No. C-12/129, Yamuna Vihar, Delhi, as claimed in the plaint ? OPP*
10. *Whether the plaintiff is entitled for a decree of possession in respect of the property bearing No. C-12/129, Yamuna Vihar, Delhi, as claimed in the plaint ? OPP*
11. *Whether the plaintiff is entitled for a decree of declaration in respect of the property bearing No. C-12/129, Yamuna Vihar, Delhi, as claimed in the plaint ? OPP*
12. *Relief.*

No other issue arises or is pressed by the parties, at this stage.

List of witnesses be filed within two weeks by both the parties. Affidavits of all the witnesses of the plaintiff as well as defendants be filed, on or before the next date of hearing. Advance copies of the affidavits be supplied to the respective opposite parties two weeks prior to the next date of hearing.

Adjourned for plaintiff's evidence on **09.08.2018**.

BRIJESH KUMAR GARG
Addl.Distt Judge(NE)-01
11.04.2018