

CS No. 43/22
Anup Gupta & Ors Vs. Geeta Shrivastava & Ors

18.03.2023

File received by way of transfer by order of Ld. Principal District & Sessions Judge, North-East District, KKD, Delhi.

Present : Sh. Dinesh Garg, Ld. Counsel for plaintiffs with plaintiff no. 4.

None for defendant no. 1.

Sh. K.S. Kashyap, Ld. Counsel for defendant no. 2.

Proposed issues have been filed on behalf of plaintiffs.

Copy supplied to Ld. Counsel for defendant no. 2.

Replication has already been filed and copy of same has already been supplied.

Admission/denial of documents not pressed for. Accordingly, as the pleadings are complete, following issues are being framed:-

(i) Whether the plaintiffs are entitled for decree of declaration as prayed for in prayer clause (A)? OPP

(ii) Whether the plaintiffs are entitled for decree of possession as prayed for in prayer clause (B)? OPP

(iii) Whether the plaintiffs are entitled for decree of permanent injunction as prayed for in prayer clause (C)? OPP

(iv) Whether the plaintiffs are entitled for decree of recovery of mesne profits/occupation charges from 09.11.2021 to 08.02.2022 at Rs. 15,000/- per month alongwith decree of recovery of pendente lite and future mesne profits/occupation charges @ 15,000/- per month as prayed for prayer clause (D & E)? OPP

(v) Whether the defendant no. 2 is the owner of suit

property i.e. C-78, Village Meerpur Turk, C-Block, Gali No. 1, Chandrapuri, Chand Bagh, Shahdara, Delhi? OPD2.

(vi) Relief

No other issue arises or is pressed for.

Put up for PE on **08.08.2023**. Both the parties are directed to file their list of witnesses alongwith evidence by way of affidavits within 15 days from today with advance copy to each other side.

(Manu Vedwan)
ADJ-02/North-East, KKD Courts,
Delhi/18.03.2023