

06.05.2026

Present: Sh. Vishwanath Pratap Singh, Ld. counsel for plaintiff with plaintiff.
Sh. Lalit Kumar Dixit & Ms. Neetu Singh, Ld. counsel for defendant with defendant.

1. Counsel for defendant, on instructions, submits that defendant would like to rely upon the written statement filed to the original plaint on 14.12.2023. This submission is taken on record.
2. Counsel for plaintiff, on instructions, submits that in view of the above, plaintiff is also rely upon the rejoinder filed on 28.02.2024. This submission is also taken on record. Thus, pleadings are complete.
3. Admission/denial of documents carried out in court.
4. Counsel for plaintiff submits that his client is denying all the documents relied upon by the defendant.
5. On the other hand, counsel for defendant submits that the site plan filed with the plaint; GPA dated 20.11.2012 in favour of plaintiff; receipt dated 07.01.2013 for an amount of Rs.3.5 lacs; Will dated 20.11.2012; and receipt dated 07.01.2013 for an amount of Rs.10.5 lacs are admitted by the defendant. Signatures of defendant in this regard are taken on this order-sheet and the said documents are **exhibited as Ex.1 to Ex.5.**
6. Rest of the documents are denied. Thus, admission/denial of documents stands complete.

7. Perusal of the plaint shows that plaintiff has set up a case that he is original owner of the suit property. This fact is admitted by the defendant in his written statement.
8. Plaintiff claims that he had given his original title chain to the defendant for installation of an electricity meter and the said title chain was eventually retained by defendant and GPA, agreement to sell, affidavit, receipt, possession letter and Will, all dated 23.08.2016 were fraudulently prepared by defendant showing that purportedly the suit property was sold by plaintiff to defendant in 2016.
9. As per plaintiff, he is in possession of suit property and has approached the court *inter alia* seeking a decree of permanent injunction restraining the defendant from illegally entering the suit property; a decree of mandatory injunction directing the defendant to hand over the originals of Ex.2 to Ex.5; and declaring the purported documents i.e. GPA etc dated 23.08.2016 as null and void.
10. Since the documents being relied upon by defendant i.e. GPA etc dated 23.08.2016 are all unregistered documents, it appears that the same are not sufficient to create any right, title or interest in favour of defendant qua the suit property. The possession of plaintiff is not disputed between the parties. Again, during the course of hearing, defendant admits that he holds the originals of Ex.2 to Ex.5.
11. If I consider the above facts and the pleadings on record, it appears that prayer of permanent injunction as well as prayer of mandatory injunction sought from this court can be adjudicated under Order XII Rule 6 CPC read with Order XV Rule 1 CPC.

12. Parties are called upon to address arguments on this aspect.

13. List on 22.05.2026.

14. Parties to maintain *status quo* till next date of hearing.

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
06.05.2026