

CS111/21  
SATYAPAL SINGH Vs. NARENDER NEGI

16.11.2023

Present: Sh. Sandeep Tyagi, Ld. Counsel for plaintiff.

Sh.Gaurav Vashistha, Ld. Counsel for defendant

Ld. Counsel for plaintiff submits that he wants to withdraw the pending applications i.e. one application under Order VI Rule 17 CPC as well as another application under Order I Rule 10 r/w section 151 CPC for impleadment of Ms. Usha Negi as defendant no. 2. Separate statement of Ld. Counsel for plaintiff is recorded in this regard. In view thereof, both these applications stand dismissed as withdrawn.

In compliance of previous order, Ld. Counsel for defendant has filed list of documents containing the original documents. Same be taken on record.

Ld. Counsel for the parties submit that there exists no element for settlement of the case.

From the pleadings of the parties following issues are framed:

1. Whether the plaintiff is entitled for decree of recovery of possession of the suit property bearing no. K-2/6, area measuring 50 sq. yds (41.80 sq. mtrs) out of Khasra No. 568, in the area village Ghonda, Gujran Khadar situated in abadi Gali No. 6, Gangotri Vihar, West Ghonda, Delhi-110053? OPP
2. Whether the plaintiff is entitled for a decree of recovery of Rs. 90,000/- towards arrears of rent w.e.f. 01.08.2020 till

31.01.2021 in respect of suit property? OPP

3. Whether the plaintiff is entitled for a decree of recovery of Rs.40,000/- towards mesne profit/occupation charges at the market rate for the period w.e.f. 01.02.2021 till actual realization in respect of the suit property?OPP
4. Whether the plaintiff is entitled for interest @15% per annum on mesne profit/occupation charges w.e.f. 01.02.2021 till actual realization? OPP
5. Whether the plaintiff is entitled for a decree of recovery of arrears of electricity and water charges?OPP
6. Whether the plaintiff is entitled for a decree of permanent injunction in respect of the suit property as prayed?OPP
7. Whether the plaintiff has not approached the court with clean hand and suppressed the material facts?OPD
8. Relief.

No other issue arises or pressed by the parties. Both parties shall file list of witnesses disclosing the name and address of witnesses to whom they propose to call either to give evidence or to produce document within ten days positively.

Put up for evidence of plaintiff on 09.01.2024. Examination in chief of witnesses be filed by way of affidavit and advance copy of same be supplied to opposite party well before the next date of hearing.

(Sanjeev Kumar Malhotra)  
District Judge/Commercial Court/  
North East/KKD Courts/Delhi  
16.11.2023