

CS 218/24
SHAHRUNISHA Vs. GAJALA ZAHIR

03.05.2025

Present: Ld. Counsel for plaintiff with plaintiff.
Ld. Counsel for defendants with defendant No. 1

Counsel for defendants has filed affidavit of admission/denial on behalf of D-1. No affidavit of admission/denial filed on behalf of D-2.

Counsel for defendants submit that he has instructions to say that D-2 shall rely upon the affidavit of admission/denial filed by D-1 only. Signatures in this regard are taken on this order-sheet from Counsel for the defendants.

Counsel for plaintiff submits that his client is denying all the documents filed by defendants.

Defendants have admitted site plan (now exhibited as **Ex. P1**) and GPA, agreement to sell etc dated 10.10.1990 (running into 9 pages and now exhibited as **Ex. P2 (colly)**).

Another agreement dated 28.04.2024 admitted by defendants is a disputed document under challenge. The same is exhibited as Ex. P3. As per Counsel for defendants, defendants have the copy of the same. **They are directed to place on record the original of the said agreement.**

Thus, admission/denial stands complete. Based on the pleadings of the parties the following issues are framed:-

- i) Whether the plaintiff is entitled to a decree of declaration as prayed for in prayer (i) of the plaint? OPP

ii) Whether the plaintiff is entitled to a decree of permanent injunction as prayed for in prayer (ii) of the plaint? OPP

iii) Whether the plaintiff is entitled to a decree of mandatory injunction as prayed for in prayer (iii) of the plaint? OPP

iv) Relief.

No other issue arises from the pleadings of the parties or is pressed for.

Parties are directed to file their list of witnesses within 2 weeks from today. Plaintiff to file affidavit of all his witnesses at least 15 days prior to next date of hearing.

List for PE on 04.08.2025 and 05.08.2025.

Aashish Gupta
DJ-01/NE/KKD/DELHI
03.05.2025