

**CS 203/23**

**MITHLESH SHARMA Vs. RATAN SHARMA**

**23.01.2026**

Present: Sh.Hitesh Solanki, Ld. Counsel for plaintiff on VC.  
Sh. Sachin K.Garg, Ld. Counsel for defendants  
nos. 1 to 3.  
None for defendant no.4 who is exparte vide order  
dated 02.03.2024.

No settlement has been arrived at between the parties till date. Affidavit of admission-denial of documents has already been filed by the parties.

Arguments on the application under Order 39 Rule 1 & 2 CPC heard.

The plaintiff has filed the suit for declaration and possession of the suit property which is a plot measuring 25 sq. yds. out of a property measuring 106 sq. yds. out of khasra no. 85 and part of property no. A-10, Village Biharipur, Kaushalपुरi, Chauhan Patti, Shahdara, Delhi on the basis of a GPA, Agreement to Sell etc. and as shown in the site plan.

As of now, defendants are in constructive possession of the said property. It is claimed by the plaintiff that they have forcefully put up a lock on the said property. The suit may take some time to be decided. Hence, till the disposal of the suit the parties shall maintain status quo in respect of the suit property.

Application disposed of.

Pleadings are complete. Hence, following issues are framed as under:-

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**ISSUES:-**

- 1. Whether the plaintiff is entitled for a decree of declaration to declare him the lawful owner of property measuring 106 sq. yds. Out of khasra no. 85 and part of property no. A-10, Village Biharipur, Kaushalpuri, Chauhan Patti, Shahdara, Delhi? OPP***
- 2. Whether the plaintiff is entitled for the possession of the said suit property? OPP***
- 3. Whether the plaintiff is entitled for a decree of permanent injunction against the defendants for restraining them from alienating or transferring the suit property to any third person? OPP***
- 4. Whether a proper court fees has not been paid by the plaintiff? OPD***
- 5. Relief***

No other issue arises or is pressed for. Affidavit in evidence alongwith list of witnesses be filed by the plaintiff within four weeks with advance copy to Ld. Counsel for defendant.

Put up for PE on 13.03.2026.

(SANJAY SHARMA-I)  
Principal District & Sessions Judge,  
North-East District, KKD, Delhi/23.01.2026