

03.06.2022

Present: Sh. Dilshad Ali, learned counsel for plaintiff alongwith plaintiff in person.
Defendant no.2 in person.
Sh. Mohd. Rafi, learned proxy counsel for Sh. Harish Chandra, for defendant no.1, 4, 6 and 7 alongwith defendant no.1 and 4 in person.
None for remaining defendants.

Matter is fixed for admission-denial of documents / framing of issues.

Steps not taken by the parties for admission-denial of documents. Parties are given opportunity to prove and disprove their respective documents during the course of evidence.

Admission-denial is complete.

Pleadings of the parties are already complete. From the pleadings of the parties, following issues are framed as under :

- (i) Whether the plaintiff is entitled for preliminary decree of partition of his 2/12 share in the suit property i.e. property measuring area 70 sq. yards, a part of khasra no.181/1, situated at Ghonda, Gujjaran Khadar, Illaqa Shahdara, Delhi, now known as C-7, Gali No.20, Subhash Mohalla, North-Ghonda, Delhi-110053, as claimed in the plaint ? OPP
- (ii) Whether the plaintiff is entitled for a final decree of partition of the suit property, as claimed in the plaint ? OPP
- (iii) Whether the plaintiff is entitled for a decree of possession with respect to his 2/12 share in the suit property, as claimed in the plaint ? OPP
- (iv) Whether the plaintiff is entitled for a decree of declaration thereby declaring plaintiff as absolute and legal owners of his 2/12 share in the suit property, more specifically shown in red colour in the site plan, as claimed in the plaint ? OPP

v) Whether the plaintiff is entitled for a decree of permanent injunction thereby restraining defendants, their agents etc. from selling, transferring, alienating, parting with possession and creating third party interest over the suit property and more specifically shown in red colour in the site plan, as claimed in the plaint ? OPP

vi) Whether the plaintiff has not approached this Court with clean hands and concealed true and material facts from this Hon'ble Court OPD-1.

(vii) Whether the plaintiff has not properly valued the suit for the purpose of court fees ? OPD-1, 4 and 6.

(viii) Relief.

No other issue arises or is pressed by the parties at this stage. List of witnesses be filed by the parties within two weeks. Affidavits of the witnesses of the contesting parties be filed within four weeks with advance copy to the opposite party against receiving two weeks prior to the next date of hearing.

List for PE on **10.10.2022**.

MONA TARDI KERKETTA
ADJ01/NE/KKD/DELHI
03.06.2022