

27.01.2025

Present: Ld. counsel for plaintiff with plaintiff.
Ld. counsel for defendant with defendant.

No replication filed.

Admission/denial of documents carried out in court whereby plaintiff has denied the document filed by defendant. Defendant has admitted two documents of plaintiff which are exhibited as Ex.P-1 and P-2 respectively. Rest of the documents are denied.

Based on pleadings, following issues are framed:-

- (i) Whether the plaintiff and defendant entered into a written agreement to sell (*ikranaama/bayana*) daed 29.01.2024 with respect to property bearing no. 225/C-17, khasra no. 181, Gali no. 17, C-Block, Khajuri Khas, Delhi-94 measuring 25 square yards ('suit property')?OPP
- (ii) Whether the plaintiff has paid a total consideration of Rs.8.6 lacs to the defendant in terms of the aforesaid agreement?OPP
- (iii) Whether the plaintiff and defendant had only entered into an oral agreement to sell qua the suit property and defendant received Rs.3.6 lacs from plaintiff in pursuance thereof?OPD
- (iv) Whether the written agreement dated 29.01.2024 is a forged document?OPD
- (v) Whether the plaintiff is entitled to a decree of specific performance as prayed for in praryer (i)?OPP
- (vi) Whether the plaintiff is entitled to a decree of recovery of money, in the alternative, as prayed for in prayer (ii)?OPP
- (vii) Whether the plaintiff is entitled to a decree of mesne profits/use and occupation charges as prayed for in prayer (iii)?OPP
- (viii) Relief.

No other issue arises or pressed for.

List for PE on 07.04.2025. List of witnesses along affidavits of evidence be filed by both the parties within 15 days from today with advance thereof to the opposite party.

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
27.01.2025