

08.01.2024

Present: Sh. Sanjay Singh, Id. Proxy counsel for plaintiff.
Sh. Mukesh Thakur, Id. Proxy counsel for defendant
no. 1,2,3,4 and 8.
None for defendant no. 5,6 and 7 (no objection given
on 27.07.2023).

Replication filed qua the WS of defendant no. 1,2,3, 4
and 8. Copy supplied.

The documents which have been relied by the
defendant no. 4 and 8 have been denied on behalf of the plaintiff.
The initial ownership of the father of the plaintiff over the suit
properties is not in dispute and as such the formal
admission/denial of documents would not be of any consequence.

From the pleadings of the parties, following issues are
framed as under :

- (i) Whether the plaintiff is entitled to decree of partition
qua the properties bearing no. C-41/15, Gali no. 9,
North Ghonda, Delhi-53 and property no. C-41/18,
Gali no. 10, North Ghonda, Delhi-53, as prayed for ?
OPP
- (ii) Whether the plaintiff is entitled to decree of
possession, as prayed for ? OPP
- (iii) Whether the plaintiff is entitled to decree of
declaration qua the documents dated 10.07.2018 and
17.01.2022, as prayed for in relief no. (c)? OPP
- (iv) Whether the plaintiff is entitled to decree of rendition
of accounts, as prayed for ? OPP

- (v) Whether the plaintiff is entitled to decree of mandatory injunction, as prayed for ? OPP
- (vi) Whether the plaintiff is entitled to decree of permanent injunction, as prayed for ? OPP
- (vii) Whether the father of the plaintiff namely Munna Khan gifted the suit properties to defendant no. 8 namely Smt. Basiran on 10.07.2018 ? OPD
- (viii) Whether the defendant no. 8 Smt. Basiran gifted the suit properties to defendant no.4 namely Shehnaz on 17.01.2022 ? OPD
- (ix) Whether the suit has not been properly valued for the purpose of court fees and jurisdiction ? OPD
- (x) Relief.

No other issue arises or is pressed by the parties at this stage. List of witnesses be filed by the parties within fifteen days. Affidavit(s) of the plaintiff's witness(es) be filed within two weeks with advance copy to the opposite party against receiving two days prior to the next date of hearing.

Put up for PE on 29.02.2024.

(KAPIL KUMAR)
ADJ-01/NE/KKD/DELHI
08.01.2024 sb