

03.04.2024

Present: Sh. H.S Solanki, Ld Counsel for the plaintiff along with the plaintiff.
Ms. Priyanka Aggarwal, Ld LAC for the defendant along with defendant.

In the meantime an application Order VI Rule 17 CPC r/w section 151 CPC was moved on 21.02.2024. Heard on that application. Copy already supplied.

Ld Counsel for defendant submits that she has no objection, if the present application be allowed.

Heard. Considering, the no objection of the defendant and the facts of this case, the present application is allowed. Amended plaint is taken on record,

Ld Counsel for defendant submits that she is adopting her previous written statement.

On last date of hearing, it was submitted on behalf of plaintiff that there is no requirement of replication.

Accordingly pleadings stands completed.

Affidavit of admission-denial was filed on behalf of defendant as per which the site plain, legal notice, the proof of delivery of the legal notice and document relied upon by the plaintiff including GPA, Will, agreement to sell, receipt, affidavit have been denied by the defendant.

Accordingly, admission-denial of document stands completed.

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

- (i) Whether the plaintiff is entitled to decree of declaration as prayed for ? OPP
- (ii) Whether the plaintiff is entitled to decree of mandatory injunction as prayed for ? OPP
- (iii) Whether the plaintiff is entitled to decree of permanent injunction as prayed for ? OPP
- (iv) Whether the plaintiff is entitled to decree of mesne-profits at the rate of Rs. 3000 per month as prayed for ? OPP
- (v) Relief.

No other issue arises or is pressed by the parties at this stage. List of witnesses be filed by the parties within 15 days. Affidavit(s) of plaintiff witness(es) be filed within three weeks with an advance copy to the opposite party.

At this stage, parties are ready to settle the dispute before Mediation center. Since, there is possibility of settlement between the parties, the matter is being referred to the Mediation Center. Parties are directed to appear before Ld. Incharge, Mediation Center, Karkardooma Courts, Delhi on 05.04.2024 at 2 PM.

Be put up for outcome of mediation settlement/PE on 06.06.2024.

(KAPIL KUMAR)
ADJ-01/NE/KKD/DELHI
03.04.2024