

28.07.2023

Present: Sh. S.K. Verma & Ms. Pooja Chaddha, ld. counsels for plaintiff.
Sh. Hardwari Lal, ld. counsel for defendant no.1 to 3.
Ms. Priyanka Aggarwal, ld. counsel for LRs of defendant no.4
Sh. Shivam Mishra, ld. counsel for defendant no.5.

Matter is fixed for arguments on the application of defendant no.1 to 3 under Order VI Rule 17 r/w Sec. 151 CPC. Arguments heard in part. During the course of arguments, learned counsel for defendant no.1 to 3 submits that he wishes to withdraw his application under Order VI Rule 17 r/w Sec. 151 CPC. Token signature of ld. counsel for defendant no.1 to 3 is taken on the ordersheet to the said effect. Heard. In view of the same, the application under Order VI Rule 17 CPC is hereby dismissed as withdrawn.

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

- (i) Whether the plaintiff is entitled for preliminary decree of partition, as prayed for ? OPP
- (ii) Whether the plaintiff is entitled for a decree of permanent injunction, as prayed for ? OPP
- (iii) Whether the defendant no.1,2 and 3 are the absolute owner of the suit property by virtue of Will dated 26.06.2013 ? OPD1 to 3
- (iv) 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 four weeks with advance copy to the opposite party against receiving two weeks prior to the next date of hearing.

List for PE on **15.09.2023**.

(GEETANJALI)
ADJ-01/NE/KKD/DELHI
28.07.2023