

CS DJ 57736/16

RITU Vs. TARACHAND AND ANR

12.05.2022

Proceeding of this matter is conducted through VC as well as physically.

Present: Sh. SS Dahiya-Ld. Counsel for the plaintiff.

Ms. Vatsala Chauhan-Ld. Counsel for both the defendants through VC.

Defendant no. 1 in person.

Ld. Predecessor of this court has directed the SDM to file valuation report, however, no one has appeared on behalf of the SDM.

File perused.

Perusal of file shows that plaintiff has filed suit for declaration, possession, partition, permanent and mandatory injunction and plaintiff has valued the suit at Rs. 7,00,000/- for the relief of declaration, possession and partition.

Defendants in their written statement in corresponding paragraph of the WS has not questioned the valuation of the suit property given by the plaintiff.

In these circumstances, there is no need for valuation from SDM. Plaintiff will prove the market value of the property during the course of trial. Accordingly, an additional issue is framed to the following effect:-

Whether the plaintiff has valued the suit properly for the purpose of jurisdiction and relief of declaration and possession? OPP

Plaintiff is at liberty to lead evidence on this issue apart from other issues already framed on 23.08.2018. Noting regarding the framing of additional issue be made in the ordersheet dated 23.08.2018 so that attention on the additional issue is not skipped.

Put up for PE on **03.11.2022** and affidavit of witnesses be supplied in advance at least 15 days prior to NDOH.

(Harish Kumar)
ADJ-02/ North/ Rohini Court
Delhi/12.05.2022