

19.03.2024

Present: Sh. Manoj Kumar, counsel for the plaintiff with plaintiff.

Ms. Lakshita Yadav, proxy counsel for the defendant with defendant.

Affidavit of admission / denial of the documents has been filed by the parties. Copy supplied.

Counsel for the plaintiff states that mediation is not possible.

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

1. Whether the plaintiff is entitled to Possession by directing to defendant to hand over peaceful possession of the illegally broken dividing wall towards ladder / stairs and towards shop No.4 from inside of the main gate and the shop No.4 and portion of staircase as shown in red colour I site plan as annexure P-1 ? OPP
2. Whether the plaintiff is entitled to recovery of Mesne Profits @ 5,000/- per month w.e.f. 01.02.2020 till 31.10.2022 and further Mesne Profits @ 5,000/- per month w.e.f 01.11.2022 till handing over the possession of occupied portion by the defendant alongwith interest @ 14% per annum w.e.f. 01.11.2022 till actual payment to plaintiff by defendant ? OPP
3. Whether the plaintiff is entitled to cost ? OPP
4. Whether the plaintiff has no cause of action against the defendant ? OPD
5. Whether true and material facts have been concealed by the

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plaintiff and thus, plaintiff is not entitled to any relief ? OPD

6. Relief.

No other issue arises or is pressed for.

List of witnesses, if any, be filed by both the parties within 15 days from today.

Now, to come up for **PE** by way of affidavit on 30.07.2024.

Advance copy of affidavit of witnesses be supplied to the opposite party at least one week before the next date.

(Vikram Bali)

ADJ-02/ North/ Rohini Court

Delhi/19.03.2024