

CS DJ 206/19

Ms. NEEMA Vs. Ms. KIRAN AND ORS.

20.05.2022

Present: Sh Ankush Bansal, LAC for plaintiff through VC.

None for defendant.

Heard. Perused.

None appeared for defendant.

Ld counsel for plaintiff prays that defendant may kindly be proceeded ex-parte as they are not appearing from last 4-5 dates and no WS is on record.

Be awaited.

(Surender Mohit Singh)
ADJ-04, North, Rohini Courts,
Delhi/20.05.2022

Present: Sh Ankush Bansal, LAC for plaintiff through VC.

None for defendant.

Heard. Perused.

This is second call.

None appeared for defendant.

Be awaited till 02:00PM.

(Surender Mohit Singh)
ADJ-04, North, Rohini Courts,
Delhi/20.05.2022

AT 02:00PM

Present: Sh Ankush Bansal, LAC for plaintiff through VC.

None for defendant.

Heard. Perused.

// 2 //

Despite repeated calls, none appeared for defendants.

As per record, D-4 and D-5 appeared in person on 11.02.2020 but no WS was filed and their right to file WS was closed by Id predecessor of this court. Thereafter neither counsel for defendant nor defendant in person appeared till date.

In view of the above, the defendants are proceeded ex-parte.

On the basis of above pleadings, following issues are framed :

1. Whether the plaintiff is entitled for the decree in favour of plaintiff and against the defendants directing them to partition the property bearing no. 40, measuring about 100 sq yards, Gali no. 3, Mukundpur, Part-2, Libaspur, Delhi-110042 in 6 equal shares as well as to demarcate the exclusive 1/6th share of plaintiff

OR

A Commissioner may be appointed to effect the peaceful partition of the abovesaid property and sold out the same by giving exclusive share to the plaintiff, prayed for? **OPP**

2. Whether the plaintiff is entitled to a decree of possession in favour of plaintiff and against defendant restraining the defendants from transferring/selling/creating any third party interest in the suit property, as prayed for? **OPP**
3. Relief.

// 3 //

No other issue arises or is pressed for by the parties.

Let list of witnesses alongwith affidavits of the witnesses be filed by both the parties within 15 days from today with advance copy to the opposite party.

Put up for ex parte PE on **26.08.2022**.

(Surender Mohit Singh)
ADJ-04, North, Rohini Courts,
Delhi/20.05.2022