

19.07.2019

Present : None for the parties.

Earlier parties have advanced their arguments on an application under Order VII Rule 11 CPC, filed by the defendant.

Heard. Perused the record.

The present suit has been filed for declaration and cancellation of settlement between the parties dt. 25.03.2015.

In the present application, the defendant has taken ground in his application under Order VII Rule 11 CPC that present suit does not disclose any cause of action and settlement deed dt. 25.03.2015 was executed by the plaintiff with his free will and a statement in this regard was also got recorded by the plaintiff before Sh. Vidya Prakash, the then Ld. ASJ, Rohini Courts, Delhi.

While deciding application under Order VII Rule 11 CPC, the facts stated in the plaint are to be considered. In the plaint, the plaintiff has alleged that the settlement deed was got executed by the defendant by committing fraud as well as by putting him under pressure of criminal proceedings.

In view of above, the application under Order VII Rule 11 CPC is dismissed hereby.

Replication if any, be filed by the plaintiff by serving advance copy of replication to the counsel for defendant.

Put up for **replication, if any, admission denial of documents and framing of issues on 17.10.2019.**

(Shivaji Anand)
ADJ-02 (North): Rohini
Courts: Delhi: 19.07.2019