

**VINITA SINGHAL
VS.
MANGE RAM SHARMA**

24.01.2024

Present: Mr. Pawan Kumar, Proxy Counsel for plaintiff.
Mr. R. L. Sharma, Ld. Counsel for defendant.

ORDER

1. Proxy Counsel for plaintiff seeks an adjournment on the ground that the main counsel is not available.
2. On perusal of order dated 18.10.2022, it is found that Ld. Counsel for plaintiff was given a direction to file replication with advance copy to the other party. However, till date, Ld. Counsel for plaintiff has not come forward to file his replication. Accordingly, the right of the plaintiff to file replication stands closed.
3. Affidavit of admission/denial of documents filed on behalf of the defendant. Despite repeated opportunities, affidavit of admission/denial of documents is not filed on behalf of the plaintiff, accordingly, the right of the plaintiff to file affidavit of admission/denial stands closed. The admission/denial of documents stands concluded.
4. At this stage, counsels for parties are asked whether there is possibility of settlement in terms of Order 10 Rule 1A. The counsels for the parties submit that there is no possibility for settlement and issues may be framed.
5. On the basis of the pleadings of the parties, the following issues are framed:-

- i. Whether the plaintiff is entitled to a decree of specific performance, as prayed for? OPP.*

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ii. Whether the plaintiff is entitled to a decree of permanent injunction, as prayed for? OPP.

iii. Whether the plaintiff is entitled to a decree of possession, as prayed for? OPP.

iv. Whether the suit of the plaintiff is based on a contingent contract and therefore not maintainable? OPD.

v. Relief.

6. No other issues are pressed for by the parties. Nor does any other issue arise from the pleadings of the parties.

7. Be put up for PE on **04.03.2024**.

8. *The plaintiff is directed to file evidence by way of affidavit along with list of witnesses within 15 days from today with advance copy to the counsel for the defendant.*

**Shivali Bansal
ADJ-03, Rohini Courts
North District, Delhi
24.01.2024**