

CS DJ 508/22
SAVITA GARG Vs. SWETA JAIN AND ORS

04.03.2023

Present: Sh A K Singh, ld. counsel for plaintiff.
Sh Mehrab Dua, ld. counsel for defendant.

Heard. Perused.

Replication is already on record.

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

1. Whether the plaintiff is entitled for the decree of preliminary decree of partition of the suit properties bearing no. Flat no. A-65, Hil Apartment Plot no. 17, Sector 13, Rohini, Delhi and Flat no. 396, Block C, Pocket 1, Muskan Apartment, Sector 17, Rohini Delhi, determining the 1/3 share of plaintiff by meets and bounds as prayed for ? **OPP**
2. Whether the plaintiff is entitled for a decree of possession and permanent injunction against the defendants thereby directing the defendants, his servants, representatives and associates to handover the peaceful possession as well as restraining them from creating any third party interest in the suit property of the abovesaid suit properties, as prayed for ? **OPP**
3. Whether the plaintiff is entitled for a decree of declaration to declare plaintiff as equal share i.e. 1/3 and a decree in the aforesaid suit properties, as prayed for ? **OPP**
4. Whether the plaintiff is entitled for decree of mandatory injunction against the defendants directing the defendants to hadndover the cash of Rs.25,000/-, jewellery of around

Rs.6,00,000/-, keys of locker and almirah, bank pass book, Adhaar Card and original property documents of the abovesaid suit properties, as prayed for ? **OPP**

5. Whether the suit is not maintainable against the defendant as present suit is based on false and fabricated facts and same is liable to be dismissed? **OPD**

6. Relief.

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 PE on **27.04.2023**.

Steps be taken accordingly.

(Surender Mohit Singh)
ADJ-04, North, Rohini Courts,
Delhi/04.03.2023