

RAJESH MANGHANI Vs. SUMIT MANGHANI

22.07.2024

Present: Mr. Ravin Rao, Ld. Counsel for plaintiff.

Mr. Hitesh Kumar, Ld. Counsel for defendant.

ORDER

1. Affidavit of admission / denial of documents is filed on behalf of plaintiff. Same is taken on record. Copy supplied.

2. Since no affidavit of admission / denial of documents filed on behalf of defendant, his right to file affidavit of admission / denial of documents stands closed. Accordingly, the admission/denial of documents stands concluded.

3. 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.

4. On the basis of the pleadings of the parties, the following issues are framed:-

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

ii. Whether the plaintiff is entitled to a decree of permanent injunction in his favour and against the defendant, as prayed for? OPP.

iii. Whether the partition of suit property bearing no. C-36, New Sabzi Mandi, Azadpur, Delhi is already carried out between the parties? OPD.

Contd....

iv. Whether the plaintiff was supposed to transfer the property at Hyderabad to the defendant in lieu of front part of property no. 1 i.e. C-36, New Sabzi Mandi, Azadpur, Delhi ? OPD.

v. Relief.

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

6. Be put up for PE on 16.10.2024.

7. *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
DJ-03, Rohini Courts
North District, Delhi
22.07.2024