

10 CS DJ 577/24 RAGHAV MALHOTRA Vs. REETA  
MALHOTRA

13.11.2025

Present : Sh. Y.K. Prasad, Counsel for the plaintiff.  
Sh. Rishab Gupta and Sh. Divansh Dua, counsel for  
D-1.  
None for D-2.

D-2 has not filed the WS till date whereby her right  
in respect thereof is closed.

Application filed by the plaintiff u/o 39 Rule 2 A  
CPC. The same is disposed off as withdrawn.

The pleadings of the contesting parties are complete  
whereby, the following issues are framed:

1. **Whether the plaintiff is entitled to the decree of  
declaration, as prayed for? OPP**
2. **Whether the plaintiff is entitled to the decree of  
partition, as prayed for? OPP**
3. **Whether the plaintiff is entitled to the decree of  
possession, as prayed for? OPP**
4. **Whether the plaintiff is entitled to the decree of  
mandatory injunction, as prayed for? OPP**
5. **Whether the plaintiff is entitled to the decree of  
permanent injunction, as prayed for? OPP**
6. **Whether the suit is bad for the non-joinder of Madhu  
Malhotra, the mother of the plaintiff? OPD-1.**
7. **Relief.**

No other issue arises or being pressed.

The counsel for D-1 states that LC be appointed for recording of the evidence of the contesting parties. He further states that he is ready to bear the expenses of the LC proceedings with regard to the PWs as well as DWs. In the given circumstances, **Sh. Vikas Upadhyay Resi cum office at A/299, Rohini, Sector-38, New Delhi-110086 having mobile No. 9582967960 and 9540669839** is appointed as the LC to record the evidence of the contesting parties in compliance of the provisions of the CPC and BSA. The fees of the LC is fixed at **Rs.10,000/- per witness**. The LC shall be at liberty to fix the dates for recording of the evidence as per the consensuses of the contesting parties. He is however directed to conduct the LC proceedings in the attached Ahlmad room of this Court preferably in the post lunch session of the dates to be assigned by him.

The first date before the LC is fixed by this Court to be of **04.12.2025 at 2 pm**. The plaintiff shall file the affidavit of evidence before this Court within two weeks with advance copy to the counsel for D-1.

To come up for monitoring of the LC proceedings on **07.02.2026**.

(Sidharth Mathur)  
District Judge-01(N)/Rohini  
Courts Delhi/ 13.11.2025