

1 CS DJ 117/2014 75804/16 RAHUL GARG Vs. WASIM AHEMAD @
MOHD.WASIM

20.07.2026

Present : Sh. Kailash Sharma, Ld. Counsel for plaintiff.
Sh. Z.A. Khan, Ld. Counsel for defendant no. 1 through V.C.
Sh. Swadesh Kumar, Ld. Counsel for defendant nos. 2 and 3
Defendant nos. 1 and 2 in person.

Ld. Counsels for parties submit that the present proceedings no longer remain stayed.

It is jointly submitted by Ld. Counsels for parties that the petition which was pending before Hon'ble High Court of Delhi has been disposed of with direction that the plaint is permitted to be amended. It is pointed out by Ld. Counsels for parties that the amended plaint of the plaintiff is already on record. It is further pointed out that amended written statements are also on record.

It is further submitted on behalf of the parties that there are no documents which are being admitted by either of the parties and that issues may be framed.

From the pleadings of the parties, following issues arise for determination:

- (1). Whether the relief of specific performance claimed by the plaintiff is barred by limitation?
OPD-1.
- (2). Whether the claim of the plaintiff for specific performance is barred by Order 2 Rule 2 of CPC? OPD-1.

- (3). Whether the suit has not been correctly valued for the purpose of court fees and jurisdiction? OPD-1.
- (4). Whether the plaintiff is entitled to a decree of recovery of possession, as prayed? *OPP*.
- (5). Whether the plaintiff is entitled to a decree of specific performance directing defendant nos. 2 and 3 to execute Sale Deed in favour of plaintiff, as prayed? *OPP*.
- (6). Whether the plaintiff is entitled to a decree of recovery of mesne profits, and if so, at what rate and for which period? *OPP*.
- (7). Whether the plaintiff is entitled to a decree of recovery of interest, and if so, at what rate and for which period? *OPP*.
- (8). Whether the plaintiff is entitled to a decree of permanent injunction, as prayed? *OPP*.
- (9). Whether the plaintiff is entitled to a direction to the defendants of restoration, as prayed? *OPP*.
- (10). Relief.

No other issue arises or is pressed.

All parties are directed to file list of witnesses within fifteen days.

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It is stated by Ld. Counsel for both parties that there is no possibility of settlement in the present matter at this stage.

Put up for PE on 12.07.2027. The plaintiff is directed to provide advance copy of affidavit of his witnesses to the opposite party at least fifteen days before next date of hearing.

(Ashish Aggarwal)
District Judge-III
North-West District,
Rohini Courts, Delhi
20.07.2026