

15.02.2023

Present : Sh. Amit Vohra, Id counsel for plaintiff.
Sh. Adama Pal, Id counsel for defendants with
defendant Anil Kumar and Ganga Ram.

Cost is paid.

Affidavit of admission and denial of documents alongwith original documents are filed. The original documents are put to the defendants for their admission and denial and defendant Ganga Ram admitted his signatures on receipt dated 18.08.2018 at point A1 and receipt dated 05.02.2019 at point A2 and has also admitted his thumb impression on receipts at point A3 and A4 respectively. Both the receipts are marked as Ex.C-1 and Ex.C-2. Defendant Anil Kumar admitted his signatures on the receipt Ex.C-1 at Point B1 and on Ex.C-2 at Point B2 and denied the thumb impression at point B3 and B4 stating that they are not pertaining to him.

The counsel for the plaintiff stated that he is not filing the replication to the written statement of defendant and the issues may be framed.

From the submissions and pleadings of the parties, following issues are framed:-

(1) Whether the suit is barred by Order 2 Rule 2 CPC as claimed by the defendant? OPD

(2) Whether the plaintiff is entitled for recovery of suit amount as claimed? OPP

(3) Whether the plaintiff is entitled for interest pendente lite if so at what rate ? OPP

(4) Relief.

No other issue arises or pressed for. The counsels appearing for the parties stated that there is no likelihood of the settlement of matter between the parties at this stage, as such, there is no use of referring the parties to adopt ADR means. List of witnesses be filed within 15 days by the parties.

Put up for plaintiff's evidence for **06.07.2023**. The chief examination of witnesses will be by way of affidavit and advance copy of same be supplied to opposite party/counsel at least 15 days prior to next date of hearing.

(SUNIL CHAUDHARY)
ADJ-04, North West,
Rohini Courts, Delhi
15.02.2023