

RAJEEV NAGPAL Vs. RAKESH SHARMA**13.04.2023**

Present: Plaintiff with Ld. Proxy Counsel, Ms. Rajana
Aggarwal.

Defendant with Ld. Proxy Counsel, Mr Manjeet.

Affidavit of defendant is filed qua admission/denial of documents in which he has admitted the agreement to sell dated 16.11.2015 but has denied handwriting on back of its first page.

Submissions are heard on the settlement of issues.

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

(1) Whether the plaintiff paid an amount of Rs. 13,50,000/- and its acknowledgment was given by the defendant on the back side of first page of agreement dated 16.11.2015 ?
OPP

(2) Whether amount of Rs. 15 lac by way of cheque dated 20.04.2016 of an amount of Rs. 3 lac and Rs. 12 lacs in cash was given by the plaintiff to the defendant and defendant gave his acknowledgment on 21.04.2016 witnessed by his son Mukul Sharma on the back side of first page of agreement dated 16.11.2015 as claimed ? OPP

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

(4) Whether plaintiff is entitled for interest on the

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claim amount, if so, at what rate and for which period ? OPP

(5) Whether the plaintiff is entitled for decree of permanent injunction ? OPP

(6) 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 **04.09.2023**. 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
RHC/Delhi 13.04.2023