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CS DJ 983/17
DEEPAK MANCHANDA
Vs.
A.P. SEHGAL AND ORS

17.02.2023

Present: Ms. Sona, Ld. Counsel for plaintiff.

Defendant no. 2 in person. (Also appearing for defendant no. 1 and 3).

It is stated by Ld. Counsel for plaintiff that pleadings are complete and issues may be framed.

Submissions heard on the settlement of issues.

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

(1) Whether Sh. Gopal Krishan Dhirani was having any ownership right in the property bearing LIG flat no. 63 B, DDA Flats, Rampura, Delhi, which is inheritable after his death ?
OPP

(2) Whether the suit of the plaintiff is bad for non joining of other properties held by Sh. Gopal Krishan Dhirani as disclosed in preliminary facts in the written statement of defendant no. 1, 2 and 3 ? OPD-1, 2 & 3.

(3) Whether the plaintiff is the surviving legal heir of said Sh. Gopal Krishan Dhirani, if so, what is his share and whether he is entitled for partition of the property as claimed ?
OPP

(4) Whether the plaintiff is entitled for decree of mandatory injunction as claimed ? OPP

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(5) Relief.

No other issue arises or pressed for. It is stated by Ld. Counsel for plaintiff and defendant no. 2 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 **18.07.2023**. 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
RHC/Delhi 17.02.2023