

Item No.03

CS DJ No.1033/2022

Mohd. Naeem Vs. Mohd. Faheem & Ors.

02.09.2025

**Present:** Sh. Sunil Satyarthi & Sh. Kaibalya Kumar Ojha,  
learned counsels for plaintiff.  
None for defendants.

Defendants be awaited till 02.00 P.M.

[Kuldeep Narayan]  
DJ-02, South-East,  
Saket Court, New Delhi  
02.09.2025/sk

At 02.30 P.M.

**Present:** None.

Record perused.

Perusal of record shows that after filing of Written Statement, nobody has been appearing for defendants since 22.10.2024. Today also, nobody has appeared since morning on behalf of the defendants. It appears that the defendants are not interested in contesting the suit. **The defendants are accordingly hereby proceeded against ex-parte.**

Pleadings are complete. On the basis of pleadings of the parties and material on record, the following issues are framed:

- (i) Whether the suit is not property valued for the purpose of Court Fees and jurisdiction? OPD
- (ii) Whether the suit is not maintainable being hit by Section 35 of the Stamps Act? OPP

- (iii) Whether the suit is not maintainable being hit by Section 17 & 49 of the Registration Act? OPD
- (iv) Whether the plaintiff is entitled for preliminary decree of partition of the suit property? OPP
- (v) Whether the plaintiff is entitled for a final decree of partition, as claimed? OPP
- (vi) Whether the plaintiff is entitled for the relief of rendition of accounts, as claimed? OPP
- (vii) Whether the plaintiff is entitled to claim damages of Rs.3 Lakhs and mesne-profits @ Rs.6,000/- per month, as claimed? OPP

(viii) Relief.

No other issue arises.

Plaintiff is directed to file list of witnesses alongwith affidavit of evidence on or before the next date of hearing.

List the matter for P.E. on 14.11.2025.

**[Kuldeep Narayan]**  
**DJ-02, South-East,**  
**Saket Court, New Delhi**  
**02.09.2025/sk**