

13
CS DJ 939/19
MOHD TAHIR
Vs.
RAM MILLAN ANR

04.03.2020

Present: Counsel for Plaintiff.
Counsel for Defendant no.1.
Counsel for Defendant no.2

Replication filed today on behalf of the plaintiff to written statement of defendant no.1 as well as to Written Statement of defendant no.2 which is objected to counsel for defendant no.1 submitting that there was a specific direction to file replication within a week, the same has not been done. Counsel for plaintiff submits that she was in personal difficulty on account of which she could not file the replication within specified time as mentioned in Order dated 18.02.2020. Replication filed today on behalf of plaintiff is taken on record subject to payment of cost of Rs. 700/- to each defendant. Affidavit of defendant no.2 regarding admission/denial of document of plaintiff filed today. Proposed issues on behalf of the plaintiff also filed today.

On the basis of pleadings and documents on record following issues are framed :

- (i) Whether the present suit is not maintainable in its present form? OPD1*
- (ii) Whether the plaintiff is entitled to decree of declaration as prayed for in prayer clause (a)? OPP.*

(iii) Whether the plaintiff is entitled to decree of permanent injunction as prayed for in prayer clause (c)? OPP.

(iv) Whether the plaintiff is entitled to decree of permanent injunction as prayed for in prayer clause (d)? OPP.

(v) Relief.

No other issues arise or pressed for.

List of witnesses be filed by both the parties within 14 days. One week advance copy of affidavit of witness/es be supplied to opposite party/counsel.

Put up for plaintiff's evidence on 13.04.2020.

(Shelly Arora)
ADJ-1(South East) Saket Court
New Delhi/04.03.2020(sm)

At 12.30 PM

At this stage, Counsel for the plaintiff appeared and has sought permission to file the site plan during the course of the day which he was suppose to file alongwith replication. He is at liberty to file the same during the course of the day with copy to the opposite side.

(Shelly Arora)
ADJ-1(South East) Saket Court
New Delhi/04.03.2020(sm)