

CS No. 235/17
Nitin Kr. Sharma vs. Ajay Goyal & Anr.
& CS No. 747/17
Ajay Goyal vs. Nitin Kr. Sharma

30.11.2017

Present: Plaintiff – by Sh. Shubhneet Gupta, Advocate.

D-1 & 2 - by Sh. Sanjeev Bhardwaj, Advocate – files list of witnesses.

The suit is along with the counter claim. Draft issues not filed.

The replication to the counter claim not filed.

Perused the pleadings. With the available pleadings the following issues are framed:

- 1. Whether the plaintiff proves that he is entitled to recover the suit claim of Rs.21,82,850/- from the defendant 1 and 2 as prayed for in the suit?OPP**
- 2. Whether the defendants prove that they have taken a friendly loan of Rs.42,27,000/- only and the same was repaid as contended at paras D and E?OPD**
- 3. Relief.**

Issues in the counter claim

- 1. Whether the plaintiff (D-1) proves that he is entitled to recover a sum of Rs.19,32,570/- alongwith the interest from the defendant (plaintiff in the original suit) as prayed for in the suit?OPP**
- 2. Whether the defendant in the counter claim proves that he is not liable to pay any amount?OPD**
- 3. Relief.**

No other issue arises or pressed. Parties are directed to file their LOW within fifteen days from today. Plaintiff in the original suit is directed to file the affidavits of all his witnesses within sixteen weeks from today with advance copies to other side. Put up for PE by 05.04.2018.

(A.S. Jayachandra)
District & Sessions Judge
Shahdara District, Delhi/30.11.2017