

14.05.2024

Present : Sh. Imran Khan Ld. Counsel for plaintiff.
Sh. Pramod Tyagi Ld. Counsel for defendant no. 1.
Sh. Sujit Shukla Ld. Counsel for defendant no. 2.

Counsel for defendant no. 2 submits that WS of defendant no. 2 has been filed online on 09.04.2024. Copy already supplied. Hard copy of same filed today.

Perusal of record shows that WS of defendant no. 2 has not been filed within stipulated period despite direction. Nor it is accompanied with any application seeking condonation of delay. Therefore, WS of defendant no. 2 cannot be taken on record and the defense of defendant no. 2 is struck off.

WS of defendant no. 1 is already on record. Counsel for plaintiff submits that he does not wish to file replication to the WS of D-1 and that there are no documents for admission-denial. Heard. Perused.

Otherwise, pleadings are complete.

From the pleadings of parties, following issues are framed:-

1. Whether the plaintiff is entitled to the decree of partition as prayed for? OPP
2. Whether the plaintiff is entitled to the decree of possession as prayed for? OPP
3. Whether the plaintiff is entitled to the decree of

declaration as prayed for? OPP

4. Whether the plaintiff is entitled to decree of future damages as prayed for? OPP

5. Whether the plaintiff is entitled to the decree of permanent injunction as prayed for? OPP

6. Whether the plaintiff has no locus standi to file the present suit? OPD.

7. Whether the suit is liable to be dismissed u/o 7 rule 11 CPC? OPD.

8. Relief.

No other issue arises or is pressed for. List of witnesses be filed by both the parties within 15 days. Advance copy of evidence affidavits be supplied to the defendant ten days before next date of hearing.

Put up for PE on 26.09.2024. Interim order to continue till next date of hearing.

(Ramesh Kumar II)
District Judge-01/ SHD
KKD/Delhi/14.05.2024