

01.06.2026

Present: Sh. Amit Kumar, Ld. Counsel for plaintiff.
Sh. I. P. Saini, Ld. Counsel for D-1.
Sh. R. S. Goswami, Ld. Counsel for D-2 to D-4 through
VC.

Today matter is listed for A/D of documents and framing of issues.

Affidavits of A/D of documents was filed by D-2 to D-4 on 08.05.2026. Same be taken on record. Copy supplied.

Affidavit of A/D of documents filed on behalf of plaintiff. Same be taken on record. Copy stated to be already supplied to the associate advocate of Ld. Counsel for D-2 to D-4.

Affidavit of A/D of documents not filed on behalf of D-1.

A/D of documents not conducted.

Since the pleadings are complete. From the pleadings of parties, following notional issues are framed:-

1. Whether the plaintiff is entitled to the decree of specific performance of agreement to sell dated 23.03.2024, as prayed for? OPP
2. Whether the plaintiff is entitled to decree of vacant and peaceful possession of the suit property, as shown in red colour in the site plan, as prayed for? OPP
3. Whether the plaintiff is entitled to the decree of occupational charges and mense profits for using the

suit property being illegal trespasser, as prayed for?
OPP

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

5. Whether the defendant no. 2 is the lawful and absolute owner of the suit property, as claimed? OPD2

6. Whether the present suit is the collusive suit, filed by plaintiff, in collusion with defendant no. 1, who never had any possession and occupation of the suit property, as claimed? OPD2 to D4

7. Whether the suit property has not been properly valued, as claimed? OPD2 to D4

8. Whether the suit property was allotted in the name of some another person, who is not the party to the suit, as claimed? OPD2 to D-4

9. 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.

At this stage, Ld. Counsel for plaintiff has pressed his application under Order 39 Rule 1 & 2 CPC.

Ld. Counsel for D-1 submits that he is not in the possession of the suit property.

Ld. Counsel for D-2 to D-4 upon instructions, submits that D-2 to D-4 are in the possession of the suit property and they will not create any third party interest, in any manner, in the suit

property i.e. property bearing No. B-229, Old Seemapuri, Delhi-110095 and will maintain status quo as to ownership as well as possession in the said suit property till NDOH. Heard.

In view of the submissions made by the Ld. counsels for the parties and also to preserve the suit property and to avoid the multiplicity of litigation, defendants are directed not to create any third party interest in the suit property i.e. B-229, Old Seemapuri, Delhi-110095 and to maintain status quo as to ownership as well as possession in the said suit property till NDOH.

Matter is adjourned.

Matter be listed for PE on 06.10.2026. NDOH is given as per convenience of the Ld. Counsels for the parties.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/ 01.06.2026