

10 CS 577/21
MOHD. ILIYAS Vs. SHAKIL QURESHI

02.09.2025

At 10:31am

Present: Sh. Koshalender Singh, Ld. counsel for plaintiff
along with plaintiff.
Sh. S.K. Singh, Ld. counsel for D-1 to D-3 and D-6
along with D-1 and D-6 (**Defence of D-1 and D-3
are already closed vide order dated 12.07.2022).**
(**Defence of D-2 already closed vide order dated
12.07.2022).**)
Sh. Shiv Dutt Kaushik, Ld. counsel for D-4(**Defence
already closed vide order dated 12.07.2022).**)
Sh. Narender Singh & Ms. Kritika Khandelwal, Ld.
counsels for D-5.

Part admission and denial of documents was
conducted on 20.05.2025.

D-6 admits further following documents:-

1. Five electricity bills, however, 3 original electricity bills
have been produced by plaintiff. Originals are taken on record.
Same are now exhibited as **Ex.P-2(colly.)**.
2. Certified copy of order dated 27.08.2021 along with
statement of plaintiff is **Ex.P-3(Colly.)**.
3. Certified copy of Aadhaar Card of plaintiff is
Ex.P-4(OSR).

(2)

Ld. counsel for plaintiff submits that plaintiff is unable to produce original postal receipts, reply to the RTIs and other documents at this stage. He further submits that he will prove the said documents during the trial.

In view of the submissions and circumstances, admission and denial of documents stands concluded.

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

1. Whether plaintiff is entitled for decree of declaration for declaring him as lawful owner of the suit property, as claimed? OPP

2. Whether D-3 and Sharifan fraudulently got executed GPA, agreement to sell, receipt and deed of Will all dated 14.05.1998 in their favour from plaintiff, as claimed? If yes, then whether plaintiff is entitled for decree of declaration for declaring the registered GPA, agreement to sell, receipt and deed of Will dated 14.05.1998 as null and void, as claimed? OPP

3. Whether plaintiff is entitled for decree of declaration for declaring the registered Will dated 14.05.1998 executed by Sharifan in favour of Rihana, as null and void, as claimed? OPP

4. Whether the GPA, agreement to sell, receipt, possession letter and Deed of Will dated 15.06.2020 have legal binding force, as claimed? If yes, then whether D-6 has become an absolute and lawful owner of the suit property, as claimed? OPD-6

5. Whether plaintiff is entitled for decree of possession against defendants in respect to suit property, as prayed? OPP

(3)

6. Whether plaintiff is entitled for decree of permanent injunction against defendants in respect to suit property, as prayed? OPP

7. Whether plaintiff is entitled for decree of mandatory injunction against defendants, as prayed? OPP

8. Whether present suit is barred by Section 477 and 478 of DMC Act, as claimed? OPD-5

9. Whether plaintiff has not paid the requisite court fees on the plaint? OPD-6

10. Relief.

No other issues arises or is pressed by the parties, at this stage. Parties are directed to file their list of witnesses within 15 days from today.

Plaintiff is directed to file evidence affidavit of all his witnesses within 30 days, with an advance copy to defendants, at least seven days prior to NDOH.

Put up for PE on 09.12.2025.

Date is given as per the convenience of Ld. counsels.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
02.09.2025