

Shanker Kumar Gupta- Senior Citizen Vs. Tara Gupta and ors.

**18.03.2026
AT 10:57 AM**

Present: Sh. Shubham Sharma, Ld. Counsel for plaintiff
through VC
Plaintiff in person
Ms. Kavya Singh, Ld. Counsel for D-1.
D-2 Nitin Gupta in person.

Previous cost of Rs.3,000/- paid by plaintiff to the
Ld. Counsel for D-1.

Original replication filed on 17.03.2026 (e-filed on
07.10.2025). Copy already supplied.

IA No.1/2026 (registered on 18.03.2026)

An application under Order XIV Rule 1 CPC for
framing of issues mentioning the proposed issues and affidavits
of admission and denial of documents filed on behalf of plaintiff.

Defendants have not filed their respective affidavits
of admission and denial of documents despite directions.

Original documents have not been produced by the
parties, therefore, admission and denial of documents could not
be conducted.

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

- 1. Whether plaintiff has purchased the suit property in the
name of defendant No.1 out of his own funds/sale proceeds
of the property owned by him, as claimed? OPP**

2. Whether plaintiff is the real and legal owner of the suit property, as claimed? OPP
3. Whether defendant No.1 was holding the suit property in a fiduciary capacity and was having no independent right, title or interest in it? OPP
4. Whether the flat at Amrapali Co-operative Housing Society, Patparganj, Delhi was purchased in the name of plaintiff by the funds given by the father and brothers of defendant No.1, as claimed? If yes, what would be its effect? OPD1
5. Whether defendant No.1 has no right and capacity to execute the gift deed dated 13.07.2020 in favour of defendant No.2 in respect to suit property? If yes, what would be its effect? OPP
6. Whether plaintiff is entitled for a decree of declaration to declare him as actual owner of the suit property? OPP
7. Whether plaintiff is entitled for a decree of declaration to declare the gift deed dated 13.07.2020 as null and void, as prayed? OPP
8. Whether plaintiff is entitled for a decree of possession in respect of suit property against defendants, as claimed? OPP
9. Whether plaintiff is entitled for permanent injunction against defendants in respect to the suit property, as claimed? OPP
10. Relief

- : 3 : -

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

The plaintiff is directed to file evidence by way of affidavit of plaintiff's witnesses within 30 days, with an advance copy to the opposite side, at least seven days prior to the next date of hearing.

The application under Order XIV Rule 1 CPC (IANo.1/2026) is accordingly disposed of.

Put up for P.E. on **20.07.2026**.

Date is given as per the convenience of the parties.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
18.03.2026