

MUKESH GARG Vs. SUSHMA GARG AND ORS

29.01.2024

Present: Sh. Vivek Bhardwaj, Ld. counsel for Plaintiff with Plaintiff.
None for Defendant No. 1.
Sh. Sanat Kumar, proxy counsel for Defendant No. 2.
Ms. Marina K Saikia, Ld. Counsel for Defendant no. 3/Punjab National Bank.

Receipt regarding deposition of costs & affidavit regarding admission-denial of documents filed by Defendant no. 1.

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

- 1. Whether the Plaintiff has suppressed the material facts and the present suit is not maintainable? OPD-1**
- 2. Whether the Defendant no. 1 is the lawful owner of the suit properties? OPD-1**
- 3. Whether the plaintiff is entitled for decree of Declaration of Title for the two suit properties as prayed for in Prayer Clause (A)? OPP**

4. Whether the Plaintiff is entitled for decree of Permanent and Mandatory Injunction against the Defendant no. 1 as prayed for in Prayer Clause B to D? OPP

5. Whether the Plaintiff is entitled for decree of Permanent and Mandatory Injunction against the Defendant no. 2 and 3 as prayed for in Prayer Clause E & F? OPP

6. Whether the Plaintiff is entitled for decree of Permanent and Mandatory Injunction against the Defendant no. 4 as prayed for in Prayer Clause G? OPP

7. Relief.

No other issue arises or pressed for.

List of witnesses be filed by both sides within 14 days. Plaintiff is directed to file evidence by way of affidavits of all PWs within 04 weeks & copy of same be provided to other side at least 15 days prior to next date of hearing.

Ld. Counsel for plaintiff presses upon his application under Order 39 Rule 1 & 2 CPC.

Ld. Counsel for defendant seeks some time to file reply to the said application.

Let the reply be filed within 04 weeks time with advance copy to other side.

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Put up for reply and arguments on above application
as well as for PE on 26.04.2024.

(Mohammad Ehtesham)
ADJ-03(Shahdara),
KKD Courts, Delhi
29.01.2024.