

29.01.2020

Present: Plaintiff in person.

Defendant in person.

Advocates are abstaining from work today.

Replication alongwith affidavit of admission and denial of documents alongwith proposed issues have been filed by the defendant today. Copy supplied.

Affidavit of admission and denial also filed by the plaintiff. Copy supplied.

The pleadings are otherwise complete. Admission & denial is conducted.

Heard. Pleadings are perused. With the available pleadings, the following issues are framed:

- 1. Whether the plaintiff is entitled for recovery of suit claim of Rs. 31,00,000/- as prayed for?OPP**
- 2. Whether the plaintiff is further entitled to pendent lite and future interest, if so at what rate and for what period?OPP**
- 3. Whether defendant proves that no cause of action ever arose in favour of plaintiff and against the defendant?OPD**
- 4. Whether defendant/ counter-claimant is entitled to decree of mandatory injunction against the plaintiff for complying with the terms and conditions of the Agreement of Sell dated 09.04.2012 with regard to payment of dues towards penalty imposed by L & D O for illegal construction, payment of**

electricity, house tax, water dues, free hold charges and ground rent, as prayed for?OPD

5. Whether the defendant/counter-claimant is entitled to decree of sum of Rs.41,60,000/- towards damages alongwith interest, as prayed for?OPD

6. Relief.

No other issues arise nor pressed. Parties are directed to file their LOW within 15 days. Plaintiff is also directed to file the affidavit of all the witnesses with advance copy to the other side before NODH.

Put up for PE on 12.03.2020.

(Vineet Kumar)
Additional District Judge-01
SHD/KKD/Delhi/29.01.2020