

CS No. 982/18

Mool Chand Vs. Sanjeev Sagar

20.03.2019

Present: Plaintiff no.1 in person with counsel Sh.V. P. Yadav and
Sh.M. K. Jana Advs.

Defendant no.1 in person with counsel Mohd. Habib Adv.
representing both the defendants.

Mediation did not succeed.

An application under Order 7 Rule 11 CPC moved. Copy
supplied. Perused the plaint. Heard at length on the application under
Order 7 Rule 11 CPC.

Plaintiff has filed the present suit for possession,
declaration, damages and injunction on the ground of having given the
suit property to the defendant no.1 by mortgaging the same and by
executing certain documents.

After leading arguments further arguments, Ld. Counsel for
defendants prays for withdrawal of the application under Order 7 Rule
11 CPC. The said application is therefore, dismissed as withdrawn.

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

ISSUES:

- 1. Whether plaintiff is entitled to decree of possession as prayed
in clause (a)? OPP**
- 2. Whether plaintiff is entitled to decree of declaration as**

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prayed in clause (b)? OPP

- 3. Whether plaintiff is entitled to interest amount of Rs.1,00,000/- as prayed in clause (c)? OPP**
- 4. Whether plaintiff is entitled to decree of permanent injunction as prayed in clause (d)? OPP**
- 5. Whether plaintiff is entitled to decree of mandatory injunction as prayed in clause (d)? OPP**
- 6. Whether plaintiff has no locus standi to file the present suit? OPD**
- 7. Relief.**

No other issue arises or is pressed for.

List of witnesses be filed within 15 days by both the parties.

Put up for PE on **19.07.2019**. Advance copy of the affidavit be supplied to the defendant counsel at least one month before the next date.

(Munish Markan)

ADJ-01 (South), New Delhi.

20.03.2019