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CS DJ ADJ 41/21

SAROJ DEVI Vs. UMA DEVI AND ANR.

14.09.2022

Present: Sh. Sanjay Singh, Ld. LAC for plaintiff aong
with plaintiff.
Ld. Proxy Counsel for defendants.

Pleadings are complete. Matter is fixed for framing of issues and hearing on the application under Order XI R 12 of CPC.

An application under Order XI R 12 of CPC is pending for the discovery of documents. As per the pleadings in the plaint and the submissions of the Ld. LAC for plaintiff, the defendants have allegedly purchased the property in their name by using the funds of the plaintiff. The plaintiff has further averred that it is the defendants who are in possession of the papers relating to the ownership of the suit property. In my view, no prejudice would be caused if the application under Order XI R 12 of CPC is allowed and the defendants give statement on oath with regard to the documents which are in their possession of the suit property i.e. WZ-490, Gali No. 16, Sadh Nagar, Palam Colony, New Delhi-110045.

Therefore, the defendants are directed to depose on affidavit all the documents in their possession with respect to the aforesaid suit property which relate to their title/possession.

Put up for purpose fixed as aforesaid on

30.11.2022

(DIVYANG THAKUR)
ADJ-03/ SOUTH-WEST
DWARKA/ NEW DELHI
14.09.2022 (A)