

01.02.2024

Present: Sh. Ashok Kumar, Ld. Counsel for the plaintiff.
Sh. Deepak Kumar, Ld. Counsel for the defendant.

Reply to application u/o VIII rule 1 read with Section 151 CPC filed on behalf plaintiff. Same is taken on record. Copy supplied.

Arguments heard on application u/o VIII rule 1 read with Section 151 CPC on behalf of both parties.

Perusal of record reveals that on 31.07.2023, Ld. Predecessor of this court directed the defendant to file WS with advance copy to the plaintiff. However, same is filed after 3 months.

Considering the facts and circumstances of present case and reasons given in the application and in the interest of justice, delay stands condoned. **Application is allowed.** WS is taken on record.

At this stage, replication and affidavit of admission-denial of documents filed by the plaintiff, same is taken on record. Copy supplied.

Pleadings stands complete. As per pleadings, following issues are framed :

- 1) *Whether plaintiff is entitled for decree for a sum of Rs.5,28,400/- as prayed? OPP*
- 2) *Whether the plaintiff is entitled for pendente-lite and future interest on the principal amount of Rs.4,60,000/- as prayed? if affirmative, at what rate ? OPP*
- 3) *Whether the plaintiff is entitled for cost of the suit?OPP.*
- 4) *Relief.*

No other issue arises or pressed for.

Now, to come up for PE on **15.05.2024**.

List of witnesses be filed by both the parties within 15 days, after exchanging copies thereof. The copies of evidence by way of affidavit of the witnesses be supplied to opposite side at least 15 days prior to the NDOH.

(SHILPI M JAIN)
ADJ-05 (SW)/Dwarka Courts
New Delhi:01.02.2024(AR)