

25.09.2023

Present: Sh. Piyush Kumar, Ld. Counsel for Plaintiff.
Sh. Jogender Sehrawat, Ld. Counsel for
Defendant.

Be awaited.

(DIVYANG THAKUR)
ADJ-03/ SOUTH-WEST
DWARKA/ NEW DELHI
25.09.2023 (A)

At 11:18 AM

Present: Sh. Vikas Arora, Ld. Counsel for Plaintiff.
Sh. Jogender Sehrawat, Ld. Counsel for
Defendant.

List of proposed issues has been filed on behalf of the Defendant and same is taken on record. List of issues has already been filed on behalf of the Plaintiff.

Pleadings stand completed. On the basis of pleadings, following issues are framed:

- (i) Whether Plaintiff is entitled to a decree of declaration declaring that the judgment and decree dated 17.06.2020 passed by Ld. ACJ-cum-CC-cum-ARC, Dwarka Courts in CS No. 34/2015, 26191/16 does not apply to the Plaintiff nor does it pertain to the suit property of the Plaintiff, as prayed for in prayer (a) of the plaint? (OPP)***
- (ii) Whether Plaintiff is entitled to a decree of permanent***

injunction with respect to the suit property, as prayed for?
(OPP)

(iii) Whether the present suit is maintainable? (OPD)

(iv) Whether the present suit is barred by limitation? (OPD)

(v) Whether the present suit is barred by resjudicata under Section 11 of CPC? (OPD)

(vi) Whether the present suit is barred by Order II R 2? (OPD)

(vii) Whether the proper court fees has not been filed in the present suit? (OPD)

(viii) Whether the present suit is bad for misjoinder and nonjoinder of parties? (OPD)

(ix) Relief.

No any other issue arises or pressed for by the parties. Parties are directed to file list of witnesses along with affidavit of evidence of witnesses within 15 days along with advance copy to the opposite party.

Put up for PE on **18.12.2023**.

(DIVYANG THAKUR)
ADJ-03/ SOUTH-WEST
DWARKA/ NEW DELHI
25.09.2023 (A)