

14.10.2019

Present: Advocate Shri Pankaj Bhardwaj, proxy for Advocate Shri N.C. Sharma along with plaintiff
Advocate Shri Amit Chauhan for defendant No.1.
Defendant No.2 Shri Harish.
None for defendant No. 3.

Be awaited for Ld. Counsels till 12:30 p.m.

(Tarun Yogesh)
ADJ-03 : Dwarka Courts
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Second call at 1:01 p.m.

Present: Advocate Shri N.C. Sharma along with plaintiff
Advocate Shri Amit Chauhan for defendant No.1.
Advocate Shri Vikram Singh along with defendant No.2 Shri Harish.
None for defendant No. 3.

Submissions heard.

Following issues are settled on the basis of pleadings:-

- i. *Whether plaintiff is entitled to specific performance of registered agreement to sell dated 06.02.2018 by directing defendant no.1 to get the suit property converted into free hold and execute registered sale deed of suit property in his favour?* **... OPP**
- ii. *Whether plaintiff is entitled to recover possession of suit property in view of registered agreement to sell dated 06.02.2018 executed by defendant No.1?* **... OPP**

Contd.../2-

- iii. *Whether plaintiff is entitled to recover Rs.25,000/- per month towards damage and mesne profits w.e.f. 01.07.2018 till the date of vacation of suit property?* **...OPP**
- iv. *Whether plaintiff is entitled to decree of permanent injunction restraining defendants No.1 & 2 from creating third party interest in the suit property?* **...OPP**
- v. *Whether plaintiff is required to bear expenses for getting the property converted from lease hold to free hold as per para 3 of registered agreement to sell dated 06.02.2018? ... OPD1*
- vi. *Whether defendant No.1 Smt. Dhanpati Devi is not competent to execute agreement to sell dated 06.02.2018 and registered sale deed in favour of plaintiff in view of averments in para 4 of preliminary objections? ... OPD2*
- vii. *Relief.*

No other issue arises or is pressed for.

List of witnesses be filed within 15 days as per Order XVI Rule 1 CPC with copies to opposite counsel and advance copy of affidavit of witness(s) be supplied to Ld. Counsel for defendant two weeks prior to next date.

Matter is adjourned to **16.12.2019 for PE.**

(Tarun Yogesh)
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