

CS No. 17425/16

MR Aggarwal through Sh. Vipul Aggarwal vs. Radha Raman Sharma

05.07.2018

Present : Sh. Vipul Aggarwal, GPA Holder for plaintiff.  
Defendant Sh. Radha Raman Sharma.

Be awaited for their counsels.

(TARUN YOGESH)  
ADJ-03/Dwarka Courts  
New Delhi /05.07.2018

**At 11:25 AM**

Present : Advocate Ms. Renu Gupta along-with Sh. Vipul Aggarwal,  
GPA Holder for plaintiff.  
Advocate Ms. Chandra Kumari along-with defendant Sh.  
Radha Raman Sharma.

Submissions heard.

Following issues are settled on the basis of pleadings:-

- i) Whether plaintiff is entitled to decree of possession against the defendant in respect of plot measuring 200 sq. yards (shown within red lines in the site-plan) built up on piece of land measuring 8 biswas (400 sq. yards) out of khasra no. 80/4 Village Hastal, Delhi known as WZ-42-A, Roop Vihar, Near Nawada Extension, Om Vihar, Phase-V, New Delhi? ...OPP***
- ii) Whether plaintiff is entitled to decree of damages/ mesne profits amounting to Rs. 5,40,000/- (for past three years) along-with interest @ 15% per***

***annum till the date of actual vacation and handing over of peaceful physical possession of suit property? ...OPP***

***iii) Whether plaintiff is entitled to decree declaring defendant's documents (title deed) as forged, fabricated which may be directed to be cancelled/destroyed? ....OPP***

***iv) Whether defendant and his brother Sh. Radha Ballab are joint owners in possession of suit property viz. Portion of plot no. 42, measuring 216 sq. yards out of khasra no. 80/4 and 80/5 village Hastal, Delhi on the basis of title deed executed by erstwhile owner Sh. Ramesh S/o Sh. Sukhbir on 19.03.1996? ....OPD***

***v) Whether plaintiff's suit has been filed without any cause of action and is also barred by limitation?...OPD***

***vi) Relief.***

No other issues arises or is pressed for.

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

Matter is adjourned to **27.09.2018** for plaintiff's evidence along-with connected case.

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