

10 CS DJ ADJ 606/20 POOJA BAKSHI Vs. MOHIT BAKSHI AND ORS.

16.02.2024

Present: Sh. Piyush Chhabra, Ld. Counsel for plaintiff along with plaintiff.

Sh. Abdul Sattar, Ld. Counsel for defendant no. 1.

None for defendant no. 2 and 3.

Written statement to the amended plaint filed on behalf of the defendant no. 1. Copy supplied.

No written statement to the amended plaint filed on behalf of the defendant no. 2 and 3. Hence, right to file the WS by defendant no. 2 and 3 stands closed.

Application u/s 151 CPC filed on behalf of the plaintiff. Copy supplied. Let reply if any, be filed within four weeks from today with advance copy to the opposite side.

50% of cost paid to the defendant. Remaining 50% shall be deposited before DLSA during the course of the day.

Ld. Counsel for plaintiff submits that, he is not willing to file replication to the amended WS.

Ld. Counsel for defendant no. 1 submits that, he is denying all the documents filed on behalf of the plaintiff. Plaintiff also deny all document filed on behalf of the defendants.

Since, pleadings between the parties stands complete, following issues are framed:

- 1. Whether suit is liable to be dismissed being under-valued and deficient court fees? **OPD***

2. *Whether plaintiff is entitled for decree of declaration against Will dt. 24.06.2011 to be declared as null and void being forged and fabricated document as prayed for ? **OPP.***
3. *Whether plaintiff is entitled for decree of declaration as absolute owner for property bearing no. B-2/7, Sri Agrasen Apartment, Plot no. 10, Sector-7, Dwarka, New Delhi-110075 as prayed for ? **OPP.***
4. *Whether plaintiff is entitled for decree of permanent injunction against defendant no. 1 as prayed for ? **OPP.***
5. *Whether plaintiff is entitled for the cost of the suit? **OPP.***
6. *Relief.*

No other issue arises or pressed for.

Let list of witnesses be filed by both parties within 15 days, with advance copy to opposite side. The copies of evidence by way of affidavit of the witnesses be supplied by plaintiff to opposite side at least 15 days prior to the NDOH.

Put up for PE on **31.05.2024.**

(SHILPI M JAIN)
ADJ-05 (SW)/Dwarka Courts
New Delhi: 16.02.2024