

05.08.2023

Present: Sh. S. K. Saha, Ld. Counsel for the plaintiff.

Sh. Sanjay Mishra, Ld. Counsel for the defendant alongwith the defendant.

It is stated by the ld. Counsel for the plaintiff that the defendant has not filed on record any documents and as such, there is no need to file on record the affidavit of the plaintiff towards the admission / denial of the documents of the defendant.

It is also stated by both the ld. Counsels for the parties that issues in the present matter may be framed. Accordingly, from the pleadings of the parties, following issues are hereby framed :

1. Whether the plaintiff got the signature of the defendant on the Agreement to Sell dated 25.03.2015 under duress as stated by the defendant in the preliminary objections of the written statement, filed by the defendant ? OPD
2. Whether the suit of the plaintiff is without any cause of action as stated by the defendant in the preliminary objections of the written statement, filed by the defendant ? OPD
3. Whether the plaintiff is entitled for recovery of the amount of Rs.13,00,000/- alongwith the interest as prayed for by the plaintiff in the plaint ? OPP

It is stated by both the ld. Counsels for the parties that other connected suit bearing CS DJ No.59882/16 titled as Anil Anand Vs. Rajeev Aggarwal is also pending before this court and the abovesaid suit

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titled as Anil Anand Vs. Rajeev Aggarwal is already at the stage of PE. It is also stated that issues involved in both the suits are verbatim the same and the controversy involved is the same.

At the joint request of both the parties, the present suit is hereby clubbed with the suit bearing CS DJ No. 59882/16 titled as Anil Anand Vs. Rajeev Aggarwal for the purposes of evidence and the evidence led in CS DJ No. 59882/16 titled as Anil Anand Vs. Rajeev Aggarwal shall also be read as evidence in the present suit.

Now, to come up for evidence in the present suit alongwith the other connected suit bearing CS DJ No. 59882/16 on **16.10.2023**.

(Raj Kumar)
ADJ-02/ North/ Rohini Court
Delhi/05.08.2023