

CS No. 371/17

P.K. Khanna vs. Narender Kumar Saxena & Anr.

29.07.2019

Present: Plaintiff with counsel Sh. Vikas Bhatia.
Sh. Rahul Sharma, Counsel for defendant no. 1.
Defendant no. 2 in person.

Case is fixed today for admission/denial of documents and framing of issues. Perusal of the record shows that in this case, issues have already been framed on 31.05.2017 and the plaintiff's evidence was also concluded and the matter was proceeding for defendant's evidence. However, on an application moved by the defendant under Order 1 Rule 10 CPC, the defendant no. 2 (Nitin Saxena) was impleaded in the present case and he filed his written statement. Therefore, additional issues are required to be framed qua the pleadings of plaintiff and defendant no. 2, which has also been conceded by both the counsels.

Accordingly, following additional issue is framed from the pleadings of plaintiff and defendant no. 2 for adjudication: -

- 1. Whether the suit is not maintainable in view of transfer of his share in the suit property by defendant no. 1 in favour of defendant no. 2 by virtue of letters dated 20.10.2015 and 28.10.2015? OPD-2***

No other issue arises or is pressed upon.

Case is now fixed for PE qua defendant no. 2 for **19.10.2019**.
Evidence by way of affidavit be filed with advance copy to the counsel for the defendants.

(Balwant Rai Bansal)
ADJ-05(SW)/Dwarka Courts
29.07.2019