

26.04.2022

Proceedings have been held by way of physical hearing.

Present: Sh. Manish Tanwar, ld. counsel for plaintiff.
Sh. Anupam Sharma, ld. counsel for the defendant/DDA.
Sh. Neeraj Chamyra, counsel for applicant Abhay Tayal u/o 1
Rule 10 read with section 151 CPC.

First application of the applicant Abhay Tayal u/o 1 Rule 10 read with section 151 CPC was dismissed on 17.01.2022. Another application filed by the same person/applicant on 29.03.2022, is already in the file. Copy supplied.

Counsel for applicant is directed to supply copy of the same to all parties within a week from today.

Pleadings are already complete. The following issues are framed:-

- (1). Whether the plaintiff is entitled to decree of permanent injunction against the defendant restraining it and its agents from illegally demolishing and taking forcible possession of property bearing no. C-9 (old no. WZ-9), Colony Mansarovar Garden, Ring Road, New Delhi? OPP**
- (2). Whether the suit property falls in Khasra no. 117 & 118, village Naraina, New Delhi? OPP**
- (3). Whether the suit property is forming part of Khasra no. 110/2/2, 111/2/2 min., village Naraina, New Delhi? OPD**

Contd....2/-

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(4). Whether the suit simpliciter for permanent injunction is not maintainable without claiming further relief of declaration? OPD

(5). Whether the suit is not maintainable in view of want of mandatory notice u/s 53B of DDA Act? OPP

(6). Relief.

No other issue arises or pressed for.

Put up for PE and reply/arguments on application u/o 1 Rule 10 read with section 151 CPC, on **16.08.2022**. Parties are directed to file list of witnesses within 15 days from today. Both parties are directed to file affidavit in evidence of their proposed witnesses on the next date with advance copy to the opposite party atleast 7 days before the next date.

(Umed Singh Grewal)
ADJ-02 WEST/DELHI
26.04.2022