

Civ DJ 12922/16
PAWAN GUJRAL Vs. SITA RAM

01.05.2023

Present: Sh. Rajiv Sharma, ld. counsel for plaintiff.
Defendant no.3 with ld counsel Sh. Somesh Gandhi.

Perusal of record shows that vide order dated 01.05.2017, application under Order 12 Rule 6 CPC was allowed, however, same was allowed only qua the ground floor and first floor of the suit property and preliminary decree was passed qua the said portion of the suit property. Perusal of record further shows that vide the same order issues were framed qua the second floor of the suit property and matter was fixed for DE.

In this matter, one application under Order 20 Rule 18 CPC has been moved on behalf of the plaintiff. Reply of the same has been filed by the other side and arguments have been heard.

Matter be put up for clarification on the said application as ld counsel for applicant / plaintiff has to show that as how the relief claimed in the application is covered under Order 20 Rule 18 CPC.

Perusal of record shows that matter had reached at the stage of DE and in the present matter only defendant no.3 is the contesting defendant and he has filed his affidavit of evidence on record. However, after that he was not cross-examined, so matter be put up for cross-examination of D3W1 also on the next date i.e. **24.07.2023.**

(Dharmender Singh)
Additional District Judge-01(West)
Tis Hazari Courts, Delhi/01.05.2023