

GULSHAN KUMAR CHAWLA Vs. VIJAY KUMAR CHAWLA
ANDANR.

01.04.2024

Present: Sh. Pankaj Kumar, Ld counsel for the plaintiff along with plaintiff.

Sh. VV Singh, Ld counsel for the defendant no. 1.

Sh. Mohmmad Ikram, Ld counsel for defendant no. 2.

Valuation report has been filed on behalf of Collector stamps, Punjabi Bagh. As per this valuation report, the value of first and second floor of the suit property is Rs. 20022444/-. The official present on behalf of collector stamps, Punjabi Bagh submits that earlier valuation reports were filed qua the entire property consisting of ground floor, first floor and second floor.

In the present suit, the plaintiff is seeking declaration qua the second floor of the suit property. So, the value of the property i.e. second floor is apparently below 2 crores.

Ld counsel for the defendant further submits that the plaintiff is claiming declaration of documents dated 07.09.1993 which deals with first and second floor of the property. He further submits that in view of the said declaration of the documents, the plaintiff is claiming possession of first and second floor of the property and value of first and second floor is more than Rs. 2 crore. Hence, this court has no jurisdiction to entertain the present suit.

Ld counsel for the plaintiff further submits that he is already in

possession of first and second floor of the property. He further submits that this is not a declaration suit regarding declaring title of the first and second floor. So, the value of the suit for the purpose of jurisdiction for the relief of second floor has been assessed as Rs. 10 lacs and this court has jurisdiction to entertain the present suit.

Put up for order on application under order 7 rule 10 CPC on
10.05.2024.

(SHIV KUMAR)
ADJ-02, West Distt.Tis Hazari Courts
Delhi: 01.04.2024