

Satyapal Vs. Prem Devi

Present: Sh. Ajeet Chauhan, Advocate for plaintiff.
Ms. Bimlesh Yadav, Advocate for defendant.

Replication not filed. Ld. counsel for plaintiff requested for framing of issues. Heard. On going through the case file, it is seen that pleadings of the case are already complete. Thereafter, counsel for the parties were asked to opt for settlement of dispute outside the court by adopting one of the alternative dispute resolving procedure as prescribed under Section 89 of CPC, but the counsel for the parties have stated that they do not want to opt for any of these modes of alternative dispute resolving system and would like to get the dispute adjudicated from the Civil Court. So, from the pleadings of the parties, the following issues are framed for adjudication:-

1. Whether the plaintiff is entitled to decree for declaration as prayed for? OPP
2. Whether the plaintiff is entitled to decree for permanent injunction as prayed for? OPP
3. Whether the suit of the plaintiff is not maintainable in the present form? OPD
4. Whether the plaintiff has no cause of action to file the present suit? OPD
5. Whether the plaintiff has no locus standi to file the present suit? OPD
6. Whether the plaintiff is estopped to file the present suit by his own act and conduct, acquiescence? OPD
7. Whether the plaintiff has not come to the court with clean

hands and the true and material facts from the Hon'ble Court? OPD

8. Whether the civil court has no jurisdiction to try and decide the present suit? OPD

9. Relief.

No other issue is pressed or claimed by either side. Onus not objected to. The parties are directed to file the list of witnesses, D.M. etc. within 15 days. Plaintiff is also directed to supply the copy of affidavit in advance. Now, the case is adjourned to **18.10.2024** for evidence of the plaintiff to be brought at own responsibility.

Date of Order: 22.05.2024
(Sahil Singh, SG-III)

(Aditya Singh Yadav)
CJ(JD)/Pataudi
UID No. HR-0555