

23.09.2024

Present : Mr. Naveen Tayal, Ld. Counsel for the plaintiff
through VC.
Ms. Sunaina Pal, Ld. Proxy Counsel for the plaintiff in
person.
Mr. Vijender Kumar, Ld. Counsel for the defendants.

An affidavit of defendant no. 3 for admission and denial of documents is filed. Copy is supplied.

Pleadings are complete.

From the pleadings, following issues are hereby framed:-

ISSUES:-

1. Whether the plaintiff is entitled to a decree for specific performance of contract for sale of terrace over the second floor of property bearing no. W-99, Uppal Southend, Sectors 48 & 49, Gurugram, Haryana and in the alternative entitled to recovery of Rs.5,00,000/- alongwith interest at the rate of 24% per annum with effect from 29.12.2017? OPP
2. Whether the plaintiff is entitled to a decree of permanent injunction restraining the defendants from creating third party interest in the terrace over the second floor of property bearing No. W-99, Uppal Southend, Sectors 48 & 49, Gurugram, Haryana? OPP
3. Whether this Court does not have territorial jurisdiction to try the present suit? OPD
4. Relief.

No other issue arises or is pressed for.

List of witnesses be filed by both the parties within 15 days from today after supplying advance copy to the opposite party.

The above issue no. 3 can be decided as a preliminary issue.

To come up for arguments on same on 06.02.2025.

(Shirish Aggarwal)
District Judge-03
Patiala House Courts, New Delhi
23.09.2024