

TARSHEM SINGH VS LAKHVINDER SINGH etc.

Present: Sh.Kewal Singh Dullat Advocate for the plaintiff.  
Sh. PS Chhahar Advocate for the defendant.

Today, the case is fixed for arguments on application U/o 39 Rule 1 & 2 CPC. Perusal of case file reveals that case was fixed for arguments on application U/o 39 Rule 1 & 2 CPC since 03.04.2023. Arguments not addressed by counsel for both the parties. No ground is made out for grant of adjournment for arguments on application under order 39 rule 1 and 2 CPC. Before proceeding further this court deems it appropriate to frame and record the issues on which right decision of the case appears to depend. From the pleadings of the parties, following issues are framed:-

1. Whether the plaintiff is entitled to the relief of Permanent injunction as prayed for? OPP
2. Whether the plaintiff has no locus standi and cause of action to file the present suit? OPD.
3. Whether the suit of the plaintiff is not maintainable in the present suit? OPD.
4. Whether the plaintiff has not come to the court with clean hands from the court? OPD
5. Whether the plaintiff is estopped by his own act and conduct from filing the present suit? OPD
6. Relief.

No other issues arises or has been pressed for by the learned counsel for the parties. Parties shall present within 15 days, list of witnesses whom they propose to call to give evidence or to produce documents, failing which parties shall produce their entire evidence at their own risk & responsibility. No assistance from the court shall be provided. Now to come up for plaintiff's evidence on **14.05.2024**, filing PF, Diet money and list of witnesses within 15 days. The plaintiff is at liberty to press application u/o 39 Rule 1 and 2 CPC as and when he is ready to address arguments on application u/o 39 Rule 1 and 2 CPC.

Date of Order: 04.04.2024  
*Sanya, Stenographer*

(Lovejinder Kaur)  
Civil Judge (Junior Division)  
UID NO . PB00437