

M/s Sat Saheb Coop. L/c Ltd. Vs. The Executive Engineer, Public health Engineering Division No.3, Jhajjar and others

Present: Shri Sarvjit Singh, Ld. Counsel for the plaintiff.
Sh.Rajiv Kumar, Sub-Divisional Engineer on behalf of defendants No.1 to 3.

Today the case was fixed for framing of issues. Authority letter on behalf of defendants no. 1 to 3 has been placed on record. Learned counsel for both the parties have been offered to settle their dispute through mediation and conciliation as provided under Section 89 C.P.C. But learned counsel for the parties have stated at bar that there are no chances of compromise between the parties and requested to settle the dispute between the parties through the court process. Arguments on framing of issues heard. Pleadings perused. From the pleadings of the parties, the following issues are framed for adjudication:-

1. Whether the plaintiff is entitled for the decree for mandatory injunction thereby directing the defendants to pay the pending amount of the plaintiff alongwith interest @ 18 % p.a. upto date be passed in favour of the plaintiff and against the defendants in the interest of justice, as prayed for ?OPP.
2. Whether the suit of the plaintiff is not maintainable in its present form? OPD
3. Whether the Civil court has no jurisdiction to try the present suit?OPD
4. Whether the suit of the plaintiff has not come to the court with clean hands and has suppressed the material facts from the court? OPD
5. Whether the plaintiff has no cause of action and locus-standi to file the present suit?OPD
6. Relief.

No other issue arises or pressed before the undersigned. Onus not objected to. Now to come upon 23.05.2024 for PWs. Plaintiff is directed to furnish the list of witnesses whom he wants to examine in support of his case within 14 days failing which no further court assistance shall be provided to the plaintiff to summon his witnesses and he has to call upon all his witnesses at his own responsibility.

Date of order: 26.02.2024
Manju Stenographer Gr. II

Vinay Sharma,
CJM/ACJ(SD) Jhajjar.
UID No.HR-0292