

Present: Sh. R.S.Jain, Advocate for the plaintiff.
Sh. Mohit Singla, learned G.P for defendants assisted by
Sh. Jagdish Parshad Forester for defendants No.1 to 5.

A joint written statement on behalf of defendants filed. Copy given. Reply to stay application not filed. Shri Jagdish Parshad Forester on behalf of defendants No.1 to 5 has made a separate statement to the effect that the written – statement filed on behalf of defendants may be read as reply to stay application and he does not want to file any separate reply to the stay application. Efforts were made for reconciliation, but compromise not effected. On the pleadings of the parties, the following issues are framed:-

- 1) *Whether the plaintiff is entitled to the relief of declaration as prayed for in the head note of the plaint.?OPP*
- 2) *Whether the plaintiff is entitled to the consequential relief of permanent (prohibitory) injunction as prayed for in the head note of the plaint.?OPP*
- 3) *Whether the suit of the plaintiff is not maintainable in the present form?OPD*
- 4) *Whether the suit of the plaintiff is false, frivolous, vexatious and same is liable to be dismissed.?OPD*
- 5) *Whether the plaintiff has not come to this court with clean hands and suppressed the true and material facts from the Court.?OPD*
- 6) *Whether the plaintiff is estopped from filing the present suit by way of his own act and conduct.*
- 7) *Whether the plaintiff has no cause of action and no locus – standi to file the present suit?OPD*
- 8) *Whether the suit of the plaintiff is bad on account of mis – joinder and non – joinder of necessary parties.?OPD*
- 9) *Whether the suit of the plaintiff is time barred.?OPD*
- 10) *Whether the civil court has no jurisdiction to try and entertain the present suit.?OPD*
- 11) *Relief.*

. No other issue is pressed, claimed or arises out of the pleadings of the parties. Onus not objected to. Now to come up on 20.05.2019 for evidence of the plaintiff. PF, DM and list of witnesses be filed within 07 days, otherwise no assistance of the Court shall be provided. Replication, if any, be also filed on date fixed.

Date of Order: 12.04.2019
S.Kr.S.Gr.II
Next Date: 20.05.2019

(Ashwani Gupta),
Civil Judge (Jr. Divn.),
U.I.D.No.HR0450/ Hisar