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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 35/2017**

MRS DEEPA TALREJA Plaintiff
Through **Mr.Amit Singh Chauhan and**
Mr.Mohit Yadav, Advs.

versus

MRS TARA JOSHI & ORS Defendant
Through **Mr.Mukul Sharma and Ms.Shilpi Jain**
Sharma, Advs. for D-3

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **26.11.2018**

Following issues are framed:-

1.Whether the plaintiff/plaintiff's father had purchased the suit property i.e. IIIrd Floor alongwith terrace over and above and one car parking of property bearing No.943/8, Plot No.109, Khasra 317/2, Khewat No.118/308, Arjun Nagar, Kotla Mubarakpur, New Delhi-110003 measuring approximately 167.22 sq.mts. vide registered sale deed dated 23.10.2013? OPP

2. Whether the defendant No.2 was inducted as a lessee in the suit property by the plaintiff/plaintiff's father vide lease deed/rent deed dated 03.04.2014 for inter alia @ Rs.20,000/- per month for a period of 11 month i.e. till 28.02.2015? OPP

3.Whether the sale deed executed by defendant No.1 in favour of defendant No.3 dated 16.4.2014 is illegal, null and void ab initio? OPP

4.Whether the sale deed dated 22.6.2014 relating to the suit



property executed by defendant No.1 in favour of defendant No.4 is illegal, null and void ab initio? OPP

5. Whether the plaintiff is entitled for the arrears of rent and damage/mesne profits alongwith the balance dues in terms of the lease/rent deed dated 03.04.2014 alongwith interest as prayed for? If so, how much and from whom? OPP

6. Whether the plaintiff is entitled to a decree for possession of IIIrd floor alongwith terrace over and above and one car parking No.943/8, Plot No.109, Khasra 317/2, Khewat No.118/308, Arjun Nagar, Kotla Mubarakpur, New Delhi-110003 measuring approximately 167.22 sq.mts. in favour of the plaintiff and against defendants No.1-4? OPP

7. Whether the registered sale deed dated 23.10.2013 executed in favour of the plaintiff's father was a security document and not a sale deed as is being alleged by defendant No.1 & 2? OPD

8. Whether the suit of the plaintiff is not properly valued for the purpose of court fee and jurisdiction? OPD

9. Relief.

Parties to file list of witnesses within three weeks. Plaintiff to file affidavit by way of evidence within three weeks thereafter.

List before Joint Registrar for fixing dates for cross-examination of plaintiff's witnesses on 20.2.2019.

JAYANT NATH, J

NOVEMBER 26, 2018

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