



\$~3

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

+ **CS(OS) 1845/2011 & IA Nos. 12075/2011, 17316/2013**

YUDHBIR MALIK & ORS

..... Plaintiffs

Through Mr Arvind Kr Gupta, Mr Abhishek Goyal, Ms Alpana Malik and Mr Rachit Gupta, Advocates for Plaintiff Nos. 1,2,6,7 & 9.

versus

RANBIR SINGH & ORS

..... Defendants

Through Mr O.P. Gehlaut, Advocate for defendant Nos. 2-5.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

31.01.2017

On the pleadings of the parties following issues are framed:-

- i) Whether the suit is time barred? OPD.
- ii) Whether there was an oral family partition between Late Shri Lakhi Ram father of the plaintiffs and Late Shri Mangat Ram father of the defendant in the year 1980-81? OPD.
- iii) Whether the plaintiff is entitled a decree of declaration in respect of judgment and decree dated 30.05.2003, passed by Shri R.P.S. Teji in Suit No. 167/2002, titled as "Manglu @ Mangat Ram vs Goan Sabha" as null and void? OPP.
- iv) Whether the plaintiff is entitled a decree of declaration in respect of mutation order 10.02.2011, passed by Revenue Assistance/SDM Vasant Vihar, as null and void? OPP.
- v) Whether the plaintiff is entitled to preliminary decree of partition in relation of land in Khasra No. 359/207, (0-



10) Biswa in Village Masoodpur, New Delhi? OPP.

- vi) Whether the plaintiff is entitled a final decree of partition by metes and bounds qua 500 sq. yards (10 Biswa) of land in Khasra No. 359/207 in Village Masood Pur, New Delhi? OPP.
- vii) Whether the plaintiff is entitled a decree of Permanent Injunction against the defendant, whereby the defendants through their agents, servants and otherwise be restrained from selling, aliening, creating third party interest and demolishing/raising construction on a land admeasuring (0-10) Biswa in Khasra No. 359/207, Village Masood Pur, New Delhi? OPP.
- viii) Whether the plaintiff is entitled to a decree of permanent injunction restraining the defendants from selling, alienating or creating any third party rights in the suit property? OPP.
- ix) Whether the defendants are in adverse possession of the suit property? OPD.
- x) Relief.

The parties are directed to file the list of witnesses, if not already filed, within two weeks after exchanging copies thereof.

Let the affidavits of plaintiff witnesses be filed within a period of four weeks with advance copy thereof to the other side.

List the matter for fixing the date of plaintiff's evidence before the Joint Registrar on 10.03.2017.

VIBHU BAKHRU, J

JANUARY 31, 2017

pkv