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

+ **CS(OS) 1780/2010 and CC No. 90/2011**

SMT. DEEKSHA KHULLER

..... Plaintiff

Represented by: Ms. Avnish Ahlawat, Ms.
Palak Rohmetra and Mr. Anuj
Dewan, Advocates.

versus

ASHOK CHOPRA & ORS

..... Defendants

Represented by: Mr. Vikas Singh, Sr. Advocate
with Mr. Kirat Nagra, Mr.
Harish Pandey and Mr. Kapish
Seth, Advocates for defendant
No. 1.
Ms. Shobhna Takiar, Advocate
for defendant No. 2. Mr.
Animesh Sinha, Advocate for
defendant No. 3
Ms. Latika Chaudhary,
Advocate for defendant No. 5.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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24.07.2017

1. From a perusal of the record and with the consent of the parties, the following issues are settled in both the suit as well as in the counter claim:

- i. *Whether the present suit and the counter claim are without cause of action and are liable to be dismissed? OPD1*
- ii. *Whether the present suit and the counter claim are barred by limitation? OPD1*
- iii. *Whether non-disclosure of material documents disentitles the Plaintiff and counter claimant to seek any relief? OPD1*

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- iv. *Whether the Gift Deed dated 10th January, 2003, undated Will of (Late) Smt. Sukhversha Chopra, General Power of Attorney dated 7th March, 1970 and Will dated 7th March, 1970 of (Late) Shri Amolak Ram Chopra are forged and fabricated documents and liable to be cancelled? OPP & OPD2*
 - v. *Whether the Defendant No. 2 is entitled to any share in the property after relinquishing/renouncing all his rights qua the suit property to her mother in terms of Compromise Decree dated 11th December, 1985? OPD2*
 - vi. *Whether the plaintiff is entitled to a decree of partition and share in respect of property No. 5-C/14, New Rohtak Road, Karol Bagh, New Delhi? OPP*
 - vii. *Whether the suit has not been properly valued and no proper advolorem court fee has been paid? OPD2*
 - viii. *Relief.*
2. Since common evidence will be recorded the plaintiff and defendant No. 2 will lead the evidence together whereafter the other defendants will lead their evidence.
 3. List of witnesses of the plaintiff and defendant No. 2/counter claimant be filed within four weeks. Evidence by way of affidavit of plaintiff's witnesses and defendant No.2/counter claimant be filed within four weeks thereafter.
 4. List on 11th October, 2017 before the learned Joint Registrar.

MUKTA GUPTA, J.

JULY 24, 2017/‘vn’

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