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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 246/2018 & I.A. 8871/2018

MS. MANITA VERMA

..... Plaintiff

Through: Mr. Sunil Mittal, Senior Advocate with
Mr. R.K. Sharma and Ms. Aishwarya
Anand, Advocates.

versus

MR. ASHOK SHAH AND ORS.

..... Defendants

Through: Ms. Sumedha Dua, Advocate for
defendant No.1 along with
Mr. Prashant Shah, SPA in person.
Mr. Pratik Gaurav, Advocate for
defendants No.3 to 5.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

01.05.2019

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With consent of the parties, the following issues are framed:-

1. Whether the plaintiff entered into an Agreement to Sell dated 13th October, 1998 with late Sh. G.A. Shah, father of the defendants in respect of the suit property? **OPP**
2. Whether the plaintiff is entitled to decree for specific performance on the basis of Agreement to Sell dated 13th October, 1998 along with consequential relief? **OPP**
3. Whether the suit is within limitation? **OPP**



4. Whether the plaintiff claiming to be a purchaser under an unregistered Agreement to Sell can seek the benefit of Section 53A of the Transfer of Property Act qua the alleged Agreement to Sell in view of Section 17(1A) of the Registration Act? **OPD**
5. Relief

Parties are directed to file their list of witnesses within a period of four weeks.

The plaintiff is directed to file her evidence by way of affidavits within a further period of four weeks.

List the matter before the Joint Registrar for cross-examination of plaintiff's witnesses on 01st August, 2019.

The Joint Registrar shall list the matter before the Court after the entire evidence has been recorded.

MANMOHAN, J

MAY 01, 2019

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