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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 236/2016 & IA No.5993/2016 (u/O XXXIX R-1&2 CPC)
SUBODH SINGH Plaintiff

Through: Mr. Swarn Kumar, Adv.

Versus

DELHI DEVELOPMENT AUTHORITY & ANR..... Defendants

Through: Mr. M.K. Singh, Adv. for D-1.

Mr. Rajan Sabharwal, Adv. for D-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **11.12.2019**

1. This order is in pursuance to the order dated 1st August, 2019.
2. The counsel for the plaintiff as well as the counsel for defendant no.2 North Delhi Municipal Corporation (NrDMC) have handed over proposed issues which are taken on record.
3. On the pleadings of the parties, the following issues are framed:
 - (i) Whether the plaintiff is the owner of plot No.2/14, ad-measuring 300 sq. yds., Roop Nagar, Delhi? OPP
 - (ii) Whether the aforesaid plot is situated in Khasra No.550/533/469/277 of Revenue Estate of village Sadhora Kalan, Delhi? OPP
 - (iii) Whether the aforesaid plot is part of land acquired vide Award No.459 dated 25th November, 1937 and possession thereof taken on 2nd December, 1937? OPD
 - (iv) Whether the suit claims are within time? OPP
 - (v) Relief.



4. No other issue arises or is pressed.
5. The parties to file their list of witnesses within 15 days.
6. The plaintiff to file affidavits by way of examination-in-chief within six weeks.
7. Option given of having evidence recorded on commission has been declined.
8. List before the Joint Registrar on 30th January, 2020 for scheduling the dates of trial.
9. IA No.5993/2016 of the plaintiff under Order XXXIX Rules 1 and 2 CPC is disposed of by directing that all works carried out by the defendants including the defendant no.2 NrDMC on the land subject matter of the suit shall be subject to final orders in the suit.
10. It is clarified that under Section 20A added with effect from 2018 to the Specific Relief Act, 1963, no injunction with respect to any infrastructure work carried out by the defendants can be granted.

RAJIV SAHAI ENDLAW, J

DECEMBER 11, 2019

‘gsr’

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