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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 330/2018 & I.A. 473/2019**
ASHOK KUMARPlaintiff

Through: Mr.Rajiv Raheja, Adv.

versus

MUNNI DEVI (SINCE DECEASED) THROUGH L.RS AND
ANR.Defendants

Through: *Ex-parte*

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **23.07.2024**

1. The defendants have been proceeded *ex-parte* vide Order dated 05.02.2024.

2. On hearing the learned counsel for the Plaintiff and perusing the pleadings, following issues are hereby framed:

1) Whether the alleged General Power of Attorney dated 15.04.1999 has been executed by the Plaintiffs in favour of the Defendant no.1 or is a forged and fabricated document?

OPP

2) Whether the alleged Sale Deed dated 24.12.1999 with respect to the transfer of the Suit Property from Defendant no.1 to Defendant no.2 is a forged and fabricated document?

OPP

3) Whether the Sale Deed dated 28.02.2001 with respect to the transfer of the Suit Property from Defendant no.2 to Defendant no.3 is a forged and fabricated document? **OPP**

4) If the above issues are decided in favour of the Plaintiff,



whether the Plaintiff is entitled to a decree of Injunction as prayed for in prayer (b) of the plaint? **OPP**

5) If Issue nos.1 to 3 are decided in favour of the Plaintiff, whether the Plaintiff is entitled to a Decree of possession of the suit property as prayed for in prayer (c) of the Plaint?

OPP

6) If Issue nos.1 and 3 are decided in favour of the Plaintiff, whether the Plaintiff is entitled to damages/*mesne* profit for a sum of Rs.6 lac or any other sum from the Defendants?

OPP

7) Whether the Plaintiff is entitled for future, *pendent lite* and *mesne* profit at the rate of Rs.2 lac per annum, or any other rate?

OPP

8) Whether the Plaintiff is entitled for interest on the amount due and payable? If so, at what rate and for what period?

OPP

9) Relief.

3. The Plaintiff shall file his list of witnesses within a period of three weeks from today.

4. The Plaintiff shall file evidence by way of affidavit of his witnesses within a period of three weeks thereafter.

5. List on 7th November, 2024 before the learned Joint Registrar (Judicial) for recording of the evidence.

NAVIN CHAWLA, J

JULY 23, 2024/Arya/VS

[Click here to check corrigendum, if any](#)