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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 3370/2014

SATBIR SINGH

..... Plaintiff

Through Counsel for plaintiff (appearance not given)

versus

TEJVIR SINGH AND OTHERS

..... Defendants

Through Mr.Kishore M. Gajaria, Advocate for D-1.
Mr.Sandeep Khurna and Ms. Seemab Ali Fatima, Advocate for D-2 and D-3.
Mr.V.K.Singh, Mrs.Prachi Singh and Mr. Vikrant Sharma, Advocates for D-6.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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18.04.2017

I.A. No.14288/2015

This application has been filed by defendant nos.4 and 5 under Order VII Rule 11 of the Code. The basic premise on which this application has been premised is that a suit qua agricultural land cannot seek the relief of possession. Submission is that the law on this aspect is clear and in view of the judgment of the Apex Court reported as AIR 1971 SC 2320 Hatii Vs. Sunder Singh a civil court would have no jurisdiction to deal with the question of possession qua agricultural land. Reply has not been filed.



This Court is of the view that since the other prayers except prayer (b) in the plaint can be considered, this application is disposed of noting that the objection raised by defendant nos.4 and 5 in the present application shall be considered by this Court at the time when the issues are to be framed. The question as to whether the suit has been properly valued or not shall also be considered at that stage.

Application disposed of.

I.A. No.21905/2014 (u/O 39 Rule 1 and 2 CPC)

Let pleadings be completed.

List on 30.8.2017.

INDERMEET KAUR, J

APRIL 18, 2017
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