

**Machhindernath Mandir & Machhiyal Sudhar  
Society vs. Hari Singh & anr.**

**C.S. No. 38 of 2023**

11.3.2026

Present: Mr. P.P. Chauhan, Advocate, for the plaintiff.

Defendant No. 1 is already exparte.

Mr. Narender Thakur, Advocate, for defendant No. 2.

Despite repeated opportunities, given to the plaintiff, admission/denial of the document has not been done. Further adjournment for this purpose is not justifiable. As such, right of the plaintiff to admit/deny the documents, is closed by the order of the Court.

From the pleadings of the parties, the following issues are framed:

- i) Whether plaintiff is entitled for damages to the tune of Rs. 1,10,000/-, as alleged? OPP
- ii) Whether the suit is not maintainable, if so its effect? OPD
- iii) Whether the suit is barred by limitation, if so its effects? OPD
- iv) Whether the plaintiff is having no cause of action to file the suit, if so its effect? OPD
- v) Whether the plaintiff is estopped from filing the suit on account of its act and conduct, if so its effect? OPD
- vi) Whether suit is bad for non-joinder of necessary parties, if so its effects? OPD

vii) Relief.

The issues, so framed, are readover and explained to the parties. No other issue is claimed, pressed or made out. Onus is not objected to. Now, the case be listed before the learned Registrar (Judicial) for fixing the date for plaintiffs' evidence. Steps be taken by both the parties within 15 days, under Order 16 Rule 1 of the Code of Civil Procedure, failing which, no assistance shall be given to the defaulting party.

OMP Nos. 303 of 2023 and 1005 of 2025

The applications are allowed with a direction to the applicant to do the needful, as and when, directed by the Court to do so. The applications are, thus, disposed of.

**(Virender Singh)**  
**Judge**

**March 11, 2026**  
(kalpana)