

Parmjeet Singh vs. Chandan Kumar & another

CS No. 50 of 2023

13.11.2025

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

Mr. Neeraj Gupta, Sr. Advocate with Ms. Rinki Kashmiri, Advocate, for defendant No.1.

Mr. S.S. Rathore, Advocate, for defendant No.2.

On the basis of pleadings of the parties, the following issues have been framed:-

- “1. Whether plaintiff is entitled for a decree for possession, by way of Specific Performance of Agreement to Sell dated 20.07.2021, as alleged? ...OPP
2. Whether plaintiff is entitled to a decree for permanent prohibitory injunction, as alleged? ...OPP
3. Whether plaintiff is entitled to a decree for mandatory injunction, as alleged? ...OPP
4. If issue No.1 is not proved, whether plaintiff is entitled to a decree for recovery of Rs. 1,05,00,000/- with interest in alternative, if so at what rate of interest? ...OPP
5. Whether the suit is not maintainable and is liable to be dismissed, as alleged? ...OPD-1
6. Whether plaintiff has suppressed true and material facts and is not entitled for discretionary relief of injunction, as alleged? ...OPD-1
7. Whether plaintiff is estopped to file and maintain the suit on account of his own acts, conduct, deed and acquiescence, as alleged? ...OPD-1

8. Whether the plaintiff has no enforceable cause of action to file and maintain the suit, as alleged? ...OPD-1
9. Whether the Hon'ble Court does not have pecuniary jurisdiction to try and entertain the suit, as alleged? ...OPD-1
10. Whether plaintiff had no readiness and willingness, to perform his part under Agreement to Sell dated 20.07.2021 hence not entitled to any relief?OPD-1
11. Whether defendant-counter claimant is entitled to a decree for possession of the suit property, as alleged? OP-Counter Claimant
12. Whether defendant No.1 is entitled for recovery of Rs. 37,41,000/- on account of use and occupation charges from the plaintiff, as alleged, if so at what rate of interest? OP-Counter Claimant
13. Whether defendant-counter claimant is entitled for pendente lite interest and future use and occupation charges at the rate of Rs. 1.00 lac per month till handing over of possession by the plaintiff, as alleged? ...OP- Counter Clamant.
14. Relief"

No other issue arises nor claimed. List before the Registrar concerned for fixation of date for evidence of the plaintiff and consequential steps.

(Satyen Vaidya)
Judge

13th November, 2025
(kck)