

**Civil Suit No.63 of 2023**

22.10.2024 Present: Mr. Deepak Kaushal, Senior Advocate with Mr. Sumit Sood & Mr. Abhishek Verma, Advocates, for the plaintiff.  
Mr. Ajay Kumar, Senior Advocate with Mr. Rohit, Advocate, for the defendants.

**OMP No. 642 of 2023**

Heard. Interim order dated 27.12.2023 is made absolute during the pendency of the present suit, subject to alteration, modification or vacation on motion.

The application stands disposed of.

**Civil Suit No.63 of 2023**

As per report of learned Mediator, the mediation proceedings have failed.

On the pleadings of the parties, following issues are framed:-

1. **Whether the plaintiff is entitled to the decree of Specific Performance of agreement of sale dated 05.12.2022, as prayed for? ....OPP.**
2. **Whether defendant No.1 was trapped by the plaintiff to execute two illegal agreements of sale, as alleged and what was the actual sale consideration? ...OPD.**
3. **Whether the suit is not maintainable in its present form, as alleged? ....OPD.**
4. **Whether the plaintiff is guilty of suppression of material facts and if so, to what effect? .... OPD.**
5. **Whether the plaintiff is estopped from filing the present suit on account of his own acts, deeds and conduct? ....OPD.**
6. **Whether the plaintiff has played fraud upon the defendants or has duped them while executing the agreements, as alleged? ...OPD.**

7. **Whether the alleged agreements of sale are hit by Sections 17 and 49 of the Indian Registration Act and Section 53A of the Transfer of Property Act,as alleged? ...OPD.**
8. **Whether the suit is bad for non-joinder of necessary parties, as alleged?... OPD.**
9. **Whether the plaintiff is not an agriculturist of Himachal Pradesh and the alleged agriculturist certificate is fake, bogus and manipulated, as alleged? ...OPD.**
10. **Relief.**

Issue have been read over and explained to the parties. No other issue arises nor claimed.

List of witnesses and additional documents, if any, be filed by the parties within a period of two weeks and thereafter list the case before the Registrar (Judicial) for evidence of the plaintiff, on a date to be fixed by him.

October 22, 2024  
(VH)

**(Sushil Kukreja)**  
**Judge**