CNR No: CHCH020001362021   CIS No: CS CJ/85/2021

MANJIT KAUR VS JASBIR SINGH etc.

Present: Sh. Rajeev Gupta, counsel for plaintiff.

Sh. Pardeep Singh Rana, counsel for defendant no.1.

Sh. Satinder Singh, counsel for defendant no.2.

The case was fixed for filing replication. Replication not intended to be filed. Parties were asked to opt for one of the modes for alternative resolution of disputes as provided under Section 89 CPC. However, counsels for the parties have stated that there are no chances of resolving this dispute by any of these methods, so they would like to get the dispute resolved through court. Heard. So, from the pleadings of the parties, following issues are framed:-

1. Whether the plaintiff is entitled for declaration as prayed for in the head note of the plaint? OPP

2. Whether the plaintiff is entitled for permanent injunction restraining defendant no. 2 as prayed for in the head note of the plaint? OPP

3. Whether present suit is liable to be dismissed? OPD

4. Whether the present suit is bad for non-joinder of necessary parties? OPD

5. Whether the plaintiff has not approached the Court with clean hands? OPD

6. Whether the plaintiff has no locus standi to file the present suit? OPD

7. Whether the plaintiff has not affixed the requisite court fee as per law? OPD

8. Relief.

No other issue is pressed for or claimed by the party. If any other issue arises the same is waived off. Onus not objected to. It is directed to file the list of witnesses, PF and DM within 7 days failing which plaintiff will be able to produce its evidence at own responsibility. As per Order 18 Rule 3A CPC the plaintiff is directed to examine himself first before examination of other witnesses. Now case is adjourned to 12.03.2025 for evidence of plaintiff to be brought at own responsibility as well as for arguments on stay application.

Date of Order: 20.12.2024   (Kaushal Kumar Yadav)
Priyanka Rani, Stenographer Gr.III   Civil Judge Jr. Div.
                                                                                              UID NO . HR0530