

827 Vasudev Singh Vs. Inderdev Singh

Present : Sh. Vikas Jain, counsel for plaintiff.
Sh. Vaneesh Khanna, counsel for defendant No. 1,3
Ms. Preeti Nigam, counsel for defendant No. 2
Def No. 4,5 ex parte
Def No. 6 in person
SH. Ashwani Talwar, counsel for defendant No. 7
Sh. SC Mehta, counsel for defendant No. 8 & 9
Sh. Vansh Malhotra, counsel for defendant No. 10
Sh. Vinod Verma, counsel for defendant No. 11

Today counsel for plaintiff has given no objection if the application under Order 14 Rule 5(1) of CPC be allowed. In view of the said no objection, the present application is allowed and additional issues are re-framed.

1. Whether the Plaintiff is entitled to relief of possession of ½ share in the suit property by way of partition as prayed for?OPP
2. Whether the plaintiff is entitled to relief of declaration as prayed for?OPP
3. Whether the palintiff is entitled for the relief of rendition of accounts as prayed for?OPP
4. Whether the plaintiff is in possession of Joint Hindu Family Property and whether the plaintiff is in constructive Joint possession of Joint Hindu Family Property?OPP
5. Whether the present suit is bad for non joinder of necessary parties?OPD
6. Whether the present suit is barred by limitation?OPD
7. Whether the present suit is not maintainable in the present form?OPD
8. Whether the plaintiffs have not approached the court with clean hands? OPD
9. Whether the plaintiff has no locus standi and cause of action to file the present suit?OPD
10. Whether the plaintiff is required to affix ad valorem court fee as per the value of the property, for which the plaintiff is seeking possession by way of the present suit?OPD
11. Relief.

No other issue arises or is pressed upon by the parties. Counsel for plaintiff has stated at bar that his new plaintiff evidence is not led.

Show cause notice to DW Halqa Patwari not issued by the Ahlmad. Ahlmad is warned to be careful in future. Let show cause notice be issued to DW Halqa Patwari for 30.01.2020 as per previous order.

Dated:- 21.01.2020
Sandeep

(Sanjay)
CJ(JD)/CHD
UID No. HR0391