

25.09.2023

Present: Sj. Mahipal Singh, Ld. Counsel for plaintiff with
plaintiff.
Sh. Mohd. Akil, Ld. Counsel for defendant with
defendant.

Pleadings of parties are complete. From the pleadings, following issues are framed:

a.) Whether plaintiff is entitled to a decree of permanent injunction, restraining the defendants from creating any third party interest in the portion occupied by them i.e. one room, kitchen and toilet on the first floor of suit property bearing no X3/14, Street No. 6, Brahampuri, Delhi, measuring 50 sq. yards? OPP.

b.) Whether plaintiff is entitled to a decree of permanent injunction, restraining the defendants from changing the nature of construction in the aforesaid suit property? OPP.

c.) Whether the plaintiff is entitled to a decree of permanent injunction, restraining the defendants from creating any obstruction in the peaceful enjoyment of the plaintiff in the entire suit property measuring 50 sq. yards? OPP.

d.) Whether plaintiff is entitled to decree of mandatory injunction directing the defendants to vacate the portion occupied by them i.e. one room, kitchen and toilet at the first floor of the suit property as shown in the site plan? OPP.

e.) Whether the defendant had contributed an amount of Rs. 1,56,109/- for the construction of the suit property? OPD

f.) Relief.

No other issue arises or pressed for.

Matter is now fixed for PE on **09.11.2023**.

Plaintiff is directed to file list of witnesses and their evidence by way of affidavit and supply advance copy thereof to the opposite counsel atleast one week before the next date.

Order dated 20.07.2023 vide which the defendant was restrained from creating any third party interest in the portion of the suit property where he is residing shall continue to operate till disposal of the suit.

Tania Singh
ACJ-cum-ARC-cum-CCJ
North-East/Karkardooma Courts
Delhi/25.09.2023