

Vinod Kumar and another Vs State of Haryana through collector and others

Present: Sh. Tejinder Mohan Singh Liberhan, Advocate for plaintiffs.
Sh. Nitin Balu, GP for defendants assisted by Sh. Satveer,
Excise Inspector (*Authority letter filed*)

Inadvertently the case was fixed for filing written statement and reply to injunction application on behalf of defendants, whereas perusal of the case file reflects that written statement and reply to injunction application has already been filed by defendants. Replication has also been filed plaintiff. This is only for clarification.

Replication not filed. Parties have also been given an option to opt any of the alternate mode of settlement of disputes as given in Section 89 of CPC but they refused to do so. Out of pleadings, the following issues are framed as under:-

1. Whether the plaintiffs are entitled to a relief of declaration as fully detailed in the head note of the plaint? OPPs
2. If issue No. 1 decided in favour of plaintiffs, then whether they are entitled to relief of permanent injunction as prayed for? OPPs
3. Whether the plaintiffs have no cause of action to file the present suit?OPDs
4. Whether this Court has got no jurisdiction to entertain the present suit?OPDs
5. Whether suit of the plaintiffs is bad for non issuance of notice under Section 80 (2) of CPC?OPDs
6. Whether the suit of the plaintiff is not properly valued for the purpose of Court fees and jurisdiction?OPDs
7. Relief.

No other issue is arises or is pressed for. To come up on **17.04.2025** for evidence of plaintiffs as first opportunity, which will not be more than three opportunities as per **Proviso 2 orders 17 Rule 1 (1) of CPC**. List of witnesses alongwith the process fee and diet money be deposited within 7 days from this order, failing which no court assistance shall be given.

Date of Order:- 27.02.2025
Jitender

(Chinar Baghla)
CJ(JD)/Ambala.
UID No. HR0570