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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 299/2015**
RUPA KUMARI

..... Petitioner

Through Mr. Suresh Bharti, Adv.

versus

APRAJITA SINGH

..... Respondent

Through Mr. Ranjit Sharma, Adv.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% 03.10.2016

Review Pet No.149/2016

The petitioner seeks a review of the order dated 16.02.2016.

Vide this order, issue No. 2 had been framed as under:-

“Whether the plaintiff is entitled to a decree of specific performance as claimed? OPD”

The onus had been placed upon the defendant. This appears to be inadvertently placed upon the defendant as a clear reading of issue No.2 shows that it is the plaintiff who has to prove this issue. The onus will be upon the plaintiff and issue No.2 will accordingly read as under:-

“Whether the plaintiff is entitled to a decree of specific performance as claimed? OPP”

Learned counsel for the petitioner submits that there should be separate issue qua the submission of the plaintiff that he had paid a sum of Rs.9,53,000/- to the defendant between 02.05.2011 to

05.05.2011. This Court is of the view that issue No.2 will adequately cover this submission. There is no need to frame any additional issue on this count.

Petition disposed of.

INDERMEET KAUR, J

OCTOBER 03, 2016

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