

18.03.2025

Present: Sh. Ayush Chauhan and Ms. Tia Sachdeva, Ld. Counsel for the plaintiff no. 2a a/w Plaintiff no. 2a.  
Sh. Mayank Bansal Ld. Counsel for LR of defendant no. 11 a/w defendant no 11 ( II) & 11 (III).  
Ms Ashna Arora, Ld. Counsel for LR no. 1C.  
Sh. Srivats Kaushal, Ld. Counsel for Lr no. 2A, 2B, 3B and 3C, 1E and 4A, Defendant no 1 (D) & 4 (B).  
Sh. Vardhman Jain defendant no. 10 (D) in person and son of 10 (B) Husband of Defendant no 11 (D) in person.

Fresh ***Vakalatnama*** filed on behalf of defendant no 1 (D) & 4 (B). Same is taken on record.

Court notices were also directed to be issued vide order dt 03.03.2025. As per the service report, the defendant no 11 (A) (VII) has refused to accept the same which was tendered to upon her son on the ground that defendant no 11 (A) (VII) is an aged lady and is unwell. **Accordingly, the aforesaid defendant i.e. defendant no 11 (A) (VII) is deemed to have served.**

Court notice has been served upon defendant no 11 (D). Sh Rattan Lal Jain has entered appearance on behalf of defendant no 11 (D). The husband of defendant no 11 (D) who is present in the court submits that defendant no 11 (D) is not claiming any share in the suit property.

Separate statement of the husband of defendant no 11 (D) is recorded to this effect.

The court notices issued to plaintiff no 1 & the other defendants have either not been returned back or the same has been returned as unserved.

Ld counsel for the plaintiff submits that he has carried out the publication with respect to the left out parties in the newspapers i.e Statesman dt 14.03.2025 and Punjab Keshri dt 14.03.2025 having circulation at Delhi and NCR. The newspapers dt 14.03.2025 are placed on record.

Ld counsel for the plaintiff further submits that he would be placing on record the publication having been carried out in newspapers having circulation in other states within 7 days from today.

Let the same be placed on record. Since the publication is stated to have been carried out only on 14.03.2025 reasonable time of 15 days atleast has to be given to the parties to enter appearance in the present matter.

Preliminary arguments on the aspect of shares of the parties as per the preliminary decree dt 02.01.1980 heard.

In the amended memo of parties as filed by the plaintiff on 07.07.2023, despite defendant no 13 having been transposed as plaintiff no 2, plaintiff no 2 is still arrayed as defendant no 13.

The plaintiff is directed to file fresh memo of parties strictly in accordance with the preliminary decree clearly showing the share of the respective parties in the aforesaid memo of parties. Since it has been submitted that with respect to the unbuilt portion of the suit property, 3 civil suits are pending disposal before Hon'ble High Court of Delhi, the parties are directed to apprise the court with respect to the portion of the suit property in respect of which the present proceedings are confined. It is clarified that since with respect to the unbuilt portion of the suit property since civil suits are pending arising out of the subsequent development, the final decree proceedings qua the said unbuilt portion of the suit property shall be subject to the outcome of the civil suits.

Re-notify the matter for further proceedings on **01.04.2025**.

**(Sachin Sood)**  
DJ-01 (Central)  
THC, Delhi/18.03.2025.