

29.11.2025

Present: Ms. Tia Sachdeva Ld. Counsel for the plaintiff no. 2A.(through VC)
Ms. Aashna Arora Ld. Counsel for Lrs of defendant no. 1C(a) to
1C(d) through VC.
None for defendant no 1B(i), 1D, 1E, 2A, 2B, 3B, 3C, 4A and 4B.
Sh. Mayank Bansal (through VC) Ld. Counsel for Lrs of defendant
no. 11 alongwith Sh. Rajiv Jain.
Ld. Counsel for the defendant no. 10 a/w defendant no. 10(d).
Sh. Akshat Jain, son of defendant no. 10B.
Ms. Amita Singh, Ld. Counsel for the M/s Urban Improvement
Company Pvt Ltd.

Ms Aashna Arora has entered appearance on behalf of Smt Subhash Jain i.e. defendant no 1A (i) (name wrongly mentioned in the memo of parties i.e. Subhashni Jain), Smt Anuradha Garg i.e. defendant no 1A (ii) (name wrongly mentioned in the memo of parties i.e. Anuradha Garg) & the other daughter of Late Sh Girdhari Lal Jain i.e. Smt Indu Aggarwal i.e. defendant no 1A (iii) (name not mentioned in the memo of parties). She has also entered appearance on behalf of Sh Shashank Jain i.e. Lrs of Smt Subhash Jain who is stated to have expired.

She submits that she would be filing her vakalatnama within 2 days from today since the said vakalatnama has to come from different states. She submits that she would be filing her memo of appearance within 2 days from today on behalf of the said defendants.

It is submitted by Ld counsel for the plaintiff that one of the defendant i.e. defendant no 3 (C) Sh Rakesh Kumar Jain S/o Sh Trilok Chand Jain has expired in the previous month. He further submits that he will file appropriate application seeking impleadment of the LRs of Late Sh Rakesh Kumar Jain.

An application has also been filed under the provisions of Order 22 Rule 4 CPC on behalf of defendant no 11 on 03.11.2025 stating that the wife of the deceased defendant no 11 i.e. Smt Saroj Jain (one of the LRs of defendant no 11) has expired and

her LRs Sh Sanjay Jain and Sh Rajiv Jain and Smt Neelima Jain are already on record. Alongwith the said application a settlement agreement has also been placed on record based upon which a decree dt 15.03.2010 stands passed. As per the terms of the memorandum of settlement it has been recorded that only Sh Sanjay Jain and Sh Rajiv Jain both sons of Sh Chikram Kumar Jain only entitled to all the rights, title, interest in the suit property and shall share the same equally in the exclusion of Smt Saroj Jain and Smt Neelima Jain.

Smt Neelima Jain has also appeared before the court and has admitted the factum of execution of memorandum of settlement dt 01.02.2010 and the decree passed on the basis of said memorandum of settlement. She has also submitted that she is not claiming any rights, title, interest in the suit property.

Separate of Smt Neelima Jain has been recorded to this effect.

Although notice of the present application has not been issued upon the other defendants and the Ld counsel for the plaintiff however the copies of the said application were supplied to Ld counsel for the defendants as well as to the Ld counsel for the plaintiff. Neither any of the defendants nor the Ld counsel for the plaintiff have any objection to the present application since the same is formal in nature and infact clarifies the nature of the rights inherited by Sh Rajiv Jain & Sh Sanjay Jain both sons of Sh Chikram Kumar Jain.

Under the circumstances, the present application u/o 22 Rule 4 CPC is allowed and in view of the recording of the statement of Smt Neelima Jain, she is deleted from the array of parties.

The plaintiff is directed to file Amended memo of parties duly impleading Smt Subhash Jain i.e. defendant no 1A (i) (name wrongly mentioned in the memo of parties i.e. Subhashni Jain), Smt Anuradha Garg i.e. defendant no 1A (ii) (name wrongly mentioned in the memo of parties i.e. Anuradha Garg) & the other daughter of Late Sh Girdhari Lal Jain i.e. Smt Indu Aggarwal i.e. defendant no 1A (iii) (name not mentioned

in the memo of parties) and also impleading Sh Shashank Jain i.e. Lrs of Smt Subhash Jain.

In the Amended memo of parties which is directed to be filed today the plaintiff is also directed to show the factum of Smt Saroj Jain having expired and is also directed to delete Smt Neelima Jain.

The plaintiff is directed to take steps for impleading the LRs of defendant no 3 (C) Sh Rakesh Kumar Jain S/o Sh Trilok Chand Jain.

None has appeared today on behalf of Ld counsel for the defendant no 1B(i), 1D, 1E, 2A, 2B, 3B, 3C, 4A and 4B since Sh Gaurav Gupta as per the ordersheet dt 04.10.2025 has appeared on behalf of the LRs of defendant no 3 i.e. Sh Trilok Chand Jain, issue court notice to Sh Gaurav Gupta Advocate who is directed to apprise the Ld counsel for the plaintiff with respect to LRs of deceased Sh Rakesh Kumar Jain.

Ms Amita Singh on behalf of Urban Improvement has deposited one pay order bearing no 225371 dt 03.11.2025 for an amount of Rs one Lakh. Let the same be deposited in the form of FDR as per previous orders.

Keeping in view the compliance of the orders dt 17.09.2025 the cost imposed upon the defendant no. 1C(a) to 1C(d) stands waived.

List on 02.12.2025 & 03.12.2025 at 2:00 pm for considering the objections filed to the report of the LC and for further proceedings

(Sachin Sood)
DJ-01 (Central)
THC, Delhi/29.11.2025