

CS No. 12934/16
Gurcharan Vs Inderjeet

14.01.2026

Present: Sh Abhishek Gupta Ld counsel for the plaintiff no 1 A.
Sh Ankit Kumar Proxy counsel for plaintiff no 1 B. (through VC)
None for plaintiff no 1 C & 1 D.
Sh Govind Singh Mohindra & Nikhil Jayant for LRs of defendant no 1.
Sh Naveen Sharma & Ayushi Aggarwal Ld counsel for the defendant no LRs of 2, 3 (a) (b), 4.

None of the parties have informed that defendant no 5 has expired on 12.07.2025 as informed by Ld counsel for the defendant no LRs of 2, 3 (a) (b), 4 as well as Ld counsel for plaintiff 1 (a) and defendant no 1.

Let appropriate application bringing on record her LRs be filed together-with Amended memo of parties.

No reply to the application as filed by defendants no 1 & 2 seeking modification of the preliminary decree dt 28.04.2000 has been filed by any of the parties, the right to file the reply accordingly stands closed.

Ld counsel for the defendants as well as Ld counsel for the plaintiff no 1 (A) submits that in view of the statement made by the parties to the effect that the status of the property would not be changed and accordingly they have no objection in case the status quo order restraining the defendants from creating 3rd party rights and interests is passed, accordingly all the parties to the present suit are restrained from creating any 3rd party rights and interest to the present suit till the NDOH. Accordingly, the application filed under Order 39 Rule 1 & 2 r/w Order 94 C is allowed to that extent.

Needless to say that in case any urgent repairs to the suit property are required to be carried out the same shall be carried out subject to the permission having been obtained from the court by filing appropriate application. The application under Order 39 Rule 1 & 2 CPC r/w 94 C is accordingly disposed off.

This is an application seeking appointment of LC so as to report with respect to its physical structure & possession.

With the passing of the status quo order with respect to title of the suit property and also keeping in view the fact that an application seeking amendment of the preliminary decree is pending disposal, it is deemed appropriate that the said application be taken up after a decision upon the application seeking amendment of the preliminary decree.

List the matter for arguments on the pending application seeking amendment in the preliminary decree and also for impleading the LRs of deceased defendant no 5 on **05.02.2026 at 12:00 pm.**

(Sachin Sood)
DJ-01 (Central)
THC, Delhi/14.01.2026.