

26.02.2026

Present: Sh. Ajay Jasra and Sh. Apoorv Jasra, Ld. Counsels for the plaintiff
alongwith plaintiff.

The summons issued by the Court have not been received back as served. However, a WS through counsels Sh. Vishal Mann, Sh. R.S Verma and Sh. Kartik Dabbas, Advocates have been e-filed vide e-filing No. ADL 20230008866D202600401 and a physical copy of the same was filed on 28.01.2026 by defendant.

Ld. Counsel for the plaintiff has filed replication to the said WS. An extra copy of the same be has been placed on record and the same be released to the Ld. Counsel for the defendant, in case, request is made.

In the WS, the defendant vide para 3 and 5 of the preliminary objections have categorically submitted that the defendant is ready and willing to partition the suit property bearing No. 3768 to 3779, Charkhewalan, Chawri Bazar, Delhi – 110006 by metes and bounds. Vide para 5 of the preliminary objections, it has further been contended that the defendant has never denied the plaintiff's right to partition the suit property i.e. 3775/3 and 3775/4 which forms part of the property bearing No. 3768 to 3779, Charkhewalan, Chawri Bazar, Delhi – 110006 and it has further been contended that the defendant has always ready and willing to partition the said shop by metes and bounds. Even in reply on merits vide para 3, it has been admitted by the defendant that both the parties have equal, undivided 50 % share in the said property. Even in para 6, it has been contended that even the defendant has made numerous attempts to amicably partition the property by metes and bound, but it is the plaintiff, who has avoided

the resolution. It is thus contended that the defendant is ready and willing to have his share separated by metes and bounds and in his prayer has prayed that a preliminary decree with respect to his 50 % undivided share be passed.

Today, there is no appearance on behalf of the defendant since morning. Although based upon the WS the Court is within its rights to straightaway pass a preliminary decree based upon the admissions, however, before proceeding further in order to avoid any technical objections which may be taken at a later stage, **it is deemed appropriate a court notice be issued to the defendant and his counsels, who are directed to remain present on NDOH.**

List on 20.03.2026.

(Sachin Sood)
DJ-01 (Central)
THC, Delhi/26.02.2026