

20.07.2026

Pr. Sh. Sachet Sharma, Ld. Counsel for the plaintiff.

Sh. Raj Kumar, Ld. Counsel for the defendants alongwith  
defendant no.4.

An application under Order VII Rule 11 CPC is pending adjudication, wherein, the defendant has alleged that the relief of declaration is time barred as the documents of which declaration is being sought pertained to the year 1998 of which the plaintiff had notice.

During the course of arguments, a query was put to Ld. counsel for defendants as to whether the plaint can be rejected in part, presuming the relief of declaration is time barred, whether the relief of partition and permanent injunction would not survive for adjudication. To this, Ld. counsel for defendants submits that the suit is barred under Order II Rule 2 CPC, as well as under Section 11 CPC. For deciding the aforesaid ground, the pleadings as well as the judgment passed in the previous suit are relevant. Certified copies of the same be placed on record.

Re-notify the matter for arguments on application under Order VII Rule 11 CPC on **02.09.2026**.

**(SHUCHI LALER)**  
District Judge-02 (East),  
Karkardooma Courts/ 20.07.2026