

31.05.2024

Present: Ld. Counsel for plaintiff through V.C.
Plaintiff in person.

In this matter, one Pawan Kumar Goel has been arrayed as defendant No. 1 and Sub-Registrar IV Seelampur is defendant No. 2. But, perusal of plaint shows that the plaintiff is referring to certain non-applicants 3 and 4 in his para (3) of the plaint and also to some defendants namely Munshi Lal and his wife Mrs. Deepti in para (5) of the plaint. He repeatedly speaks of Munshi Lal and his wife Mrs. Dipti in his plaint in almost each para including para (5, 6 and 11). Surprisingly, the said Munshi Lal and Dipti are not parties to the suit.

Again, as per prayer (ii) of the plaint, plaintiff is seeking cancellation of a sale deed dated 27.03.2018 and as per Counsel for plaintiff the said sale deed is in favour of defendant No. 1 and on the basis of it another sale deed was executed for ground floor on 13.09.2018 in favour of Munshi Lal and Dipti. Now, in the second limb of prayer (ii), plaintiff has prayed that “all other deeds executed by anybody in respect of the suit property” should be invalidated. It appears that this shall include the sale deed of 13.09.2018 also and if that be the case, why the said persons namely Munshi Lal and Dipti are not parties to this suit, is baffling.

Again, as per para (6) of the plaint, plaintiff is alleging that some relinquishment deed executed by his siblings was not executed at all and the property is still a joint property of the plaintiff and his

siblings. Now if that be the case, why the other siblings are not party to this suit, is not clear.

As per Counsel for plaintiff, he has filed a separate suit qua the sale deed in favour of Munshi Lal and Dipti. If the said suit covers the subject matter in this suit, what persuaded the plaintiff to file two separate suits, is not clear.

Let Counsel for plaintiff clarify in the aforesaid terms on 13.08.2024.

Aashish Gupta
DJ-01/NE/KKD/DELHI
31.05.2024